UNITED STATES DISTRICT COURT SOUTHERN DISTRICT NEW YORK

THIRD CHURCH of CHRIST, SCIENTIST, of

NEW YORK CITY,

07 Civ. 10962

Plaintiff.

- against -

DECLARATION OF JAY A. SEGAL

THE CITY OF NEW YORK and PATRICIA J. LANCASTER, in her official capacity as, Commissioner of the New York City Department: of Buildings

Defendants.

I, JAY A. SEGAL, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a shareholder of the law firm of Greenberg Traurig LLP ("GT"). I have focused my practice almost exclusively on land use matters in New York City for the past 23 years. On October 25, 2006, Plaintiff Third Church of Christ, Scientist, New York City (the "Church") retained GT so that I would provide legal services regarding land use matters including whether a contemplated use of the Church's building at 583 Park Avenue (the "Building") was a permissible "accessory use" under the Zoning Resolution of the City of New York (the "Zoning Resolution"). I make this declaration in support of the Church's application for a temporary restraining order, preliminary injunction, and other and further relief.

The Relevant Zoning District, in Context

2. Zoning Map 8c of the Zoning Resolution places the Building in an R-10 zoning district and also within the Special Park Improvement District (collectively, the "R-10/(PI)"). R-10 zones are the highest-density residential districts in the City. The R-10 zone at issue is within one block of the commercial zoning districts along Lexington and Madison Avenues, where

there are numerous bars, restaurants, and other heavily trafficked commercial establishments all within a few blocks of the Church and its neighbors.

- Among other considerations, a district such as the R-10 district at issue here is 3. mapped with an eye towards the "character of existing development" in the zone. See Zoning Resolution at 21-15. It is relevant here that the Defendants are aware of and allow many nonconforming commercial uses in buildings located in the R-10/(PI) district in the immediate vicinity of the Church. For example, the Regency Hotel is just two blocks from the Building on Park Avenue and its eastern half is in the R-10/(PI) district. Nevertheless, upon information and belief, the Regency makes itself available to the general public for short term hotel stays and catered events available to the general public in violation of its certificate of occupancy, which provides only for residential apartment-hotel use with catering limited exclusively to residents and their guests. Further, immediately across 63rd Street from the Church, a major restaurant corporation operates a restaurant currently named Park Avenue Winter which is open to the public, and (together with a separate banquet facility on the same premises) is available for rental to members of the general public for catered social events.
- 4. These are just two examples. This chart, developed from public records without the benefit of discovery proceedings, shows establishments in the immediate vicinity of the Building, all of which are located in residential zoning districts, and which rent their facilities to members of the general public for catered events:

	Location	<u>Capacity</u>	<u>Availability</u>	Zoning
The Beekman	575 Park Avenue – directly south of the Building	Total capacity (Park Avenue Winter restaurant plus separate catering venue) approx 200	A restaurant open to the general public as well as a separate facility for catered events	R10/(PI) / R8B (Limited Height District No. 1A ("LH-1A"))

	Location	Capacity	<u>Availability</u>	Zoning
The Central Presbyterian Church	593 Park Avenue – approximately 20 feet north of the Building and on the same block as the Building	3 floors and other rooms available, total capacity: 500	Available for private catered events and movie and commercial shooting	R10 (PI)
The Colony Club	564 Park Avenue – two blocks south of the Building		Private club, rents out space for a variety of catered events, including for non- members	R10 (PI) / R8B (LH-1A)
The Regency Hotel	540 Park Avenue – two blocks south of the Building	4,400 square feet of flexible function space, accommodate up to 200	Rents out space for a variety of catered events, uses inhouse catering operation	R10 (PI) / C5-1 (Special Madison Avenue Preservation District)
Council on Foreign Relations	670 Park Avenue and East 68th Street	180 seated event; other events can occur at the same time in other rooms	Rents space for a variety of catered events for non-members	R10 (PI)
Americas Society	680 Park Avenue and East 68th Street	120 seated event with dancing	Not-for-profit education institution and museum; rents out space for a variety of catered events for non-members	R10 (PI)
Union Club	101 East 69th Street and Park Avenue		Rents out space for a variety of catered events for non-members	R10 (PI) / R8B (LH-1A)
The Asia Society and Museum	725 Park Avenue and East 70th Street	150 seated event; 300 cocktails	Rents out space for a variety of catered events for non-members.	R10 (PI)
			Uses designated outside caterer Great Performances.	

	Location	Capacity	<u>Availability</u>	Zoning
The Explorers Club	46 East 70 th Street, near Park Avenue	120 seated event; 250 cocktails	Private club rents out space for a variety of catered events for non-members.	R8B (LH-1A)
			Uses designated outside caterer New York Catering	
Church of St. Ignatius Loyola	980 Park Avenue, near East 83rd Street	250	Wallace Hall is available for rental for events for non-congregants. <i>Uses designated outside caterers</i> .	R10 (PI)

Permissible Uses of Property in an R-10 Zoning District

- There are several uses of real property that are permitted as-of-right in an R-10 5. residential district, including single-family homes, multi-family apartment units, certain "community facility uses" such as libraries, nursing homes, welfare centers, community centers, settlement houses, educational institutions and religious institutions, as well as "accessory uses" to these permissible primary uses.
- Permissible accessory uses are quite varied. Thus, for example, the Zoning Resolution allows owners of residentially zoned properties to construct and operate as an accessory use to the primary residential and/or community facility uses on their property, radio towers, swimming pools, incinerators and engage in other uses which, if they were not accessory to the primary residential and/or community facility use, would be classified as a commercial use, so long as such accessory use (a) occurs in the same lot as the principal use, (b) is incidental to and commonly found in connection with the principal use, and (c) redounds substantially to the "benefit or convenience of the owners, occupants, employees, customers, or visitors of the principal use." See Zoning Resolution at 12-10.

"Accessory Use" Factors: Same Lot

There is no dispute here that the catering use occurs in the same lot as the 7. principal religious use of the Building. Accordingly, no further explanation of this factor is required. Instead, this declaration will discuss the customary and incidental nature of the catering use, and the fact that this accessory use redounds to the benefit of the Church and its members.

"Accessory Use" Factors: Catered Events Are Customarily Held In Spaces Owned By Both Religious And Secular Non-Profit Groups, And Are Incidental To The Principal Uses Of Such Space

It is customary for churches and synagogues to hold catered events for their 8. congregants. And, at least in Manhattan, it is customary for houses of worship to be used for catered events for people who are not members of that institution. Evidence of the practice of houses of worship seeking to cover their expenses by hosting catered events for outsiders is found in a multitude of websites, magazines and other advertising media in which they are marketed to the general public as venues for catered events. For example, the website for Riverside Church announces that it will host its "Annual Wedding Open House" on January 19, 2008 to provide an opportunity to visit the church and meet the in-house caterer and wedding ceremony consultant, see Exhibit A (a print-out of website http://www.theriversidechurchny. org/about/?weddings dated Nov. 28, 2007), the All Souls Church advertises that many spaces in the church are available to rent for birthday parties, weddings and corporate events to "help cover operating costs during times when normal church activities are not taking place," see Exhibit B (a print-out of website http://www.allsoulsnyc.org/contact/wedding2.htm dated Nov. 28, 2007), and Saint Bartholomew's Church has a sophisticated website stating that "St. Bart's is available for movie and commercial filming and cast/crew holding and catering, as well as corporate events, fashion shows, rehearsal dinners, cocktail parties, and dances, among

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other events." See Exhibit C (a print-out of website http://www.stbarts.org/rentspaceatstbarts.asp dated Nov. 28, 2007).

- This is not a new phenomenon. A 1992 article from The New York Times shows 9. that the current practice of churches and synagogues renting out spaces for special events to nonmembers as a revenue source has been prevalent for at least 15 years. The article reports on the aggressive marketing campaign undertaken by the Unitarian Universalist Church, at Central Park West and West 76th Street, which was successful in having rentals cover 85% of the church's operating budget. Likewise, the Church of Saint Ignatius Loyola, at Park Avenue and East 83rd Street, had renovated its hall, adding a stage, kitchen, sound system and 20 phone lines for phoneathons so that, in the words of then-pastor Rev. Walter Modrys, the hall could be used "as a revenue raiser as well as a community resource." A true and accurate copy of the New York Times article, dated Dec. 27, 1992, is attached hereto as Exhibit D. Also, attached hereto as Exhibit E are true and accurate copies of letters, dated April 19, 2007, from two caterers who provide catering services to various houses of worship throughout Manhattan.
- Indeed, the practice of churches, synagogues and other religious institutions 10. renting out their facilities to non-congregants for social events in order to offset the extraordinary costs of maintaining their historic properties is open and notorious. Even without the benefit of any formal discovery, we have assembled the following chart that shows how prevalent and customary the practice is:

	Location	<u>Capacity</u>	<u>Availability</u>	Zoning
The Central Presbyterian Church	593 Park Avenue – approximately 20 feet north of the Building and on the same block as the Building	3 floors and other rooms available, total capacity 500	Available for private catered events and movie and commercial shooting	R10 (PI)

	Location	Capacity	<u>Availability</u>	Zoning
St. Bartholomew's Church	109 East 50th Street and Park Avenue	1250 guests	Available for movie and commercial filming, corporate events, fashion shows, rehearsal dinners, weddings, cocktail parties, and dances, among other events. All catering provided in house by Café St. Bart's.	C5-3 (MID) / C5-2.5 (MID)
Church of St. Ignatius Loyola	980 Park Avenue, near East 83rd Street	250	Wallace Hall is available for rental for events for non-congregants. Uses designated outside caterers.	R10 (PI)
Universalist Church of New York	160 Central Park West	500	Church dated 1897, available for private catered events and separate attached kitchen.	R10-A / R8B
All Souls Church	1157 Lexington Avenue and East 80th Street	350; 300 seated event		C1-8X / R8B
The Top Deck at the Seamen's Church Institute	241 Water Street, near Peck Street	130	Interfaith chapel, rents out space for a variety of catered events for non-congregants.	C6-2A (Special Lower Manhattan District – South Street Seaport Subdistrict)
Riverside Church	490 Riverside Drive, between 119 th and 122 nd Street	500; 300 seated event	Uses designated onsite caterer, Madeline's Catering & Special Events	

While, based on the information currently available, one cannot determine the 11. percentages of weddings (and other events) that are held at houses of worship for people who are not congregants, these examples make clear that houses of worship are actively pursuing events for non-members.

- Nonreligious institutions also seek to raise money by renting out their facilities to 12. non-members for catered social events. For example, New York Magazine's website http://nymag.com/weddings/listings/locations, a printout of which is attached as Exhibit F contains advertisements from the Council on Foreign Relations/Harold Pratt House (Park Avenue and East 68th Street), the Americas Society (also Park Avenue and East 68th Street), the Angel Onensanz Foundation for the Arts (whose advertisement states the building is "open to anyone who wants to throw a party") as well as twelve museums, and many of the City's most famous institutions, including the United Nations, Grand Central Terminal, the Central Park Zoo, Lincoln Center, the New York City Public Library and Columbia University.
- That these uses are commonplace is shown by the following chart, developed 13. from public records without the benefit of discovery proceedings, which makes clear that it is customary for nonreligious non-profit institutions (including institutions, like the ones below, located in residential districts) to rent their facilities to non-members for catered events in order to offset in the extraordinary costs of maintaining their historic properties:

	Location	Capacity	<u>Availability</u>	Zoning
Council on Foreign Relations	670 Park Avenue and East 68th Street	180 seated event; can host additional events on same night in other rooms of the mansion.	Rents space for a variety of catered events for non-members	R10 (PI)
Americas Society	680 Park Avenue and East 68th Street	120 seated event with dancing	Not-for-profit education institution and museum; rents out space for a variety of catered events for non-members	R10 (PI)

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	Location	Capacity	<u>Availability</u>	Zoning
The Asia Society and Museum	725 Park Avenue and East 70th Street	150 seated event; 300 cocktails	Rents out space for a variety of catered events for non-members. Uses designated outside caterer Great Performances.	R10 (PI)
The Explorers Club	46 East 70th Street, near Park Avenue	120 seated event; 250 cocktails	Private club rents out space for a variety of catered events for non-members. Uses designated outside caterer New York Catering	R8B (LH-1A)
The Frick Collection	1 East 70th Street, near Fifth Avenue	350 for cocktails and 200 for dinner		R10 (PI) / R8B (LH-1A)
National Academy Museum	1083 Fifth Avenue, near East 89th Street	140 seated event; 240 cocktails		R10 (PI)
Cooper-Hewitt, National Design Museum	2 East 91 st Street, near Fifth Avenue	90 seated event; 500 in Terrace and Garden	Rents out space for a variety of catered events for non-members Uses designated outside caterer Restaurant Associates	R10 (PI) / R8B (LH-1A)

- The availability of nonreligious not-for-profit venues for catered events shows 14. that it has become customary for these entities to allow their spaces to be rented to outsiders so that income can be generated for their upkeep.
- These catered event uses are not only customarily found in connection with the 15. principal uses of the buildings owned by religious and secular non-profit groups; they also plainly are "incidental" to the principal uses.
- In my experience as a land use lawyer, "incidental" in this context has its ordinary 16. meaning -i.e., subordinate. The use of the Building for social events at times when it is not

being used by the Church for religious purposes is a classic "incidental" use, a fact that is shown in two ways.

- First, there is no question that the principal use of the Building is to serve as the 17. place where the Church can conduct its religious activities. The whole point of the catered events is to raise funds to preserve the Building so the Church can continue to have its congregation worship there into the future. In other words, the purpose of the catering use is subordinate to the principal religious purpose for which the Building is used. The catering is the incidental means to the principal end: preservation of the Church.
- Second, not only is the purpose of the catering use incidental to the principal 18. religious use of the Building; so too is the quantum of catering use. This fact is illustrated by calculations of what the Church and the Rose Group Park Avenue LLC (the "Rose Group") anticipate would be a typical month in which both catered events and Church activities are held in the Building. See Memorandum, dated May 7, 2007, prepared by the Church for the DOB, at § 6, a true and accurate copy is attached hereto as Exhibit G. This memorandum shows that, within a few years, it is expected that there will be approximately 451 hours in which the Building will be open for Church activities but only approximately 60 hours of catered events, a mere 13% of the hours that the Building would be open and therefore clearly incidental to the principal use. Moreover, during a majority of the hours when catered events are conducted, at least some other parts of the Building would be open for Church activities.

"Accessory Use" Factors: Substantially for the Benefit of the Church

As discussed in greater detail in Mr. Draper's declaration dated December 3, 19. 2007, the Church's purpose in entering into the lease that permits the Rose Group to conduct catered events in the Building was to finance the extensive capital repairs and on-going maintenance costs of the Building. That purpose is being fulfilled. To date, I understand from

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conversations that I have had with representatives of the Rose Group, that approximately \$6.5 million has been invested in the capital repairs to, and other restoration of, the Building. The cost of the repairs to the external portion of the Building must be made pursuant to the requirements of the New York City Landmarks Preservation Commission because the Building is in the Upper East Side Historic District. There can be no question that the income that flows from the catering uses to the Church substantially benefits the Church (which owns the Building) and the members of (and visitors to) the Church (who attend services and lectures in the Building).

The DOB's Approval and Subsequent Reversal

- The Church appropriately decided to seek the necessary approvals from the New 20. York City Department of Buildings ("DOB") for the Church to permit its Building to be used for catered social events booked and operated by the Rose Group.
- On or around June 2, 2006, the Church submitted a letter to DOB, noting that, 21. during limited times when its Building was not being used for religious purposes, the Church sought approval to permit a reputable caterer to host, pursuant to a contract with the Church, catered social events. The letter made clear that the revenue from these events was critical to the Church's ability to restore, maintain, and continue to use the Building for its congregation. A true and accurate copy of the Letter dated June 2, 2006, is attached hereto as Exhibit H.
- On or about June 28, 2006, Christopher Santulli, the Manhattan Borough 22. Commissioner of the DOB, granted the Church's request, noting that it was "OK to accept catered events under contract with the church." See Ex. G (the "Pre-Consideration"). In connection with the Pre-Consideration, the DOB issued building permits so that the Church could begin to undertake the significant capital repairs to the Building that were necessary (the "Permits").

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- The Church relied in good faith on the Pre-Consideration, as well as on follow-up 23. conversations and meetings with senior DOB officials in which the Church's representatives made it clear that there would be numerous catered events in the Building and that, because of the Building's capacity, many events would have large numbers of attendees. During these conversations, DOB's consistent position had been that catered private events at the Building for non-members would be a permissible "accessory use" of the Church, and that in Commissioner Santulli's view, the only limitation on the size of events related to the capacity of the Building.
- On information and belief, in reliance on the DOB's approval, the Rose Group 24. has undertaken extensive renovation and repair work to the Building totaling, approximately \$6.5 million.
- Throughout the spring and summer of 2007, however, several influential 25. neighbors of the Church began to lobby local political officials and the DOB for the DOB to reverse its decision. Throughout this period, the Church continued to explain why the catered events were appropriate and permissible accessory uses. A true and accurate copy of the letter I sent on behalf of the Church to the City, c/o Hon. Daniel L. Doctoroff, dated October 10, 2007 is attached hereto as Exhibit I.
- Unfortunately, the Defendants apparently have succumbed to the demands of 26. these influential neighbors. On October 29, 2007, the DOB sent a letter (the "DOB Letter") reversing itself and notifying the Church and the Rose Group that it intended to revoke the approval set forth in the Pre-Consideration and the Permits, even though, on information and belief, the renovations and repairs to the Building were nearly substantially completed. A true and accurate copy of the DOB Letter is attached hereto as Exhibit J.

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- The DOB Letter states that the DOB had re-evaluated its position in light of vocal 27. opposition by the Church's neighbors, and had now concluded that the catering events would not be an "accessory use" to the Church's primary use "because [the use of the Building for catered events] does not comport with the Zoning Resolution's requirement that it be 'clearly incidental to, and customarily found' in connection with the Church." The DOB directed the Church to forbid the Rose Group from conducting any catered events after April 29, 2008. Moreover, the DOB Letter prohibited the Church from allowing the caterer to enter into any new contracts for catered events (whenever they were to be held).
- Upon receiving the letter, the Church engaged Davis Wright & Tremaine, LLP as 28. litigation counsel.
- Both before and after the DOB Letter was received, the Church voiced its 29. concerns regarding the City's unfair and unequal treatment of the Church through numerous communications with the DOB, specifically identifying the fact that other substantially similar institutions engage in the identical practice (many within the same or even lower density residential zoning districts as the Church). Indeed, the Church consistently has sought to avoid litigation and instead to reach an amicable resolution that was fair to the Church while protecting the legitimate interests of all concerned.
 - Unfortunately, these efforts have not succeeded. 30.
- On November 30, 2007, the DOB wrote to the Church's counsel confirming that 31. its October 29, 2007 letter, which set forth the Notice of Intent to Revoke its prior approval for catering events at the Church, was the DOB's final decision (the "Final Determination"). The Final Determination makes clear that the approval for the catering events, and the building permits authorizing the Required Capital Repairs, were both revoked forthwith. Accordingly,

A. SEGAL

the Defendants have ordered that (i) effective as of October 29, 2007, no additional catered events can be booked for the Building, (ii) after April 28, 2008, no additional catered events may be held in the Building (even if such events had been booked prior to the DOB Letter, and I am informed that several events had been booked), and (iii), that the Permits are revoked. A true and accurate copy of the November 30, 2007 letter is attached hereto as Exhibit K.

Mr. Draper's declaration explains in greater detail the irreparable harm that will 32. befall the Church if the Defendants' actions are not enjoined, but suffice it to say that if the Church cannot permit catered events to be hosted in the Building, it likely will be forced to sell the Building to reimburse the Rose Group for the extensive capital improvements performed to date.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 3, 2007.

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EXHIBIT A



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Figure 14

Our Mission Senior Minister Sr. Min. Emeritus Sr. Min. Search Clergy & Senior Staff Leaders History of Riverside Library Weddings Rentals Jobs Riverside Links

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Weddings & Commitment Ceremonies

Please join us for an Open House January 19, 2008 Click here for more details.



The Riverside Church is an open and affirming Christian church with extensive experience uniting interfaith, heterosexual and same-sex couples.

Enjoy the traditional elegance of our beautiful architecture. and stunning views. Exchange vows standing where Presidents and some of the most historic figures of our time have stood. Then, finish your perfect day in one of our exquisite event halls. The Riverside Church sits on the heights of the historic Upper West Side of Manhattan overlooking the Hudson River.

Our onsite caterer, Madeline's Catering & Special Events. perfectly blends the art of gourmet cooking with attention to detail to help you create the event of your dreams. Speak to our on-site Ceremony Coordinator to plan the intricate details of your ceremony.

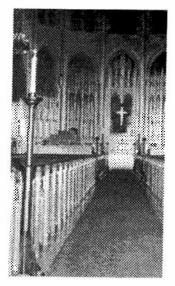
Come to The Riverside Church for the Wedding or Commitment Ceremony of a lifetime. We've been waiting 75 years for you.

Wedding Spaces

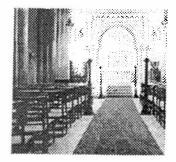
THE NAVE

The splendor of our main worship space with its stained glass windows should serve as the perfect backdrop for any event that requires a room of this size. In the tradition of Chartres Cathedral, but made in the United States and France, the windows are the crowning glory to the magnificent architecture of the church.

Contact our Wedding Cor Angela Gregory, Wedding Coor (212) 870-6762



Nave Seats 1900



Christ Chapel Seats

Size: The Nave measures 96 feet in length and 64 feet in width. Capacity: With its two balconies, seats about 1900.

CHRIST CHAPEL

For a more intimate setting many couples choose Christ Chapel for their ceremony. The chapel is patterned after the eleventh century Romanesque nave of the fortress church of St. Nazaire at Carcassonne.

MEDITATION CHAPEL

If you are a looking for less public and even more intimate setting, then the Meditation Chapel may be ideal for your occasion

Reception Spaces

THE SOUTH HALL

Size: Our largest reception hall, South Hall, measures 86 feet in length and 62 feet in width and comes with a full stage area and lobby. Capacity: The space can accommodate a party of 350 for a formal sit-down dinner with cocktail reception area or 500 for an open floor reception.

THE ASSEMBLY HALL

This large gothic-style space with stone pillars and a stage, includes a full kitchen with an ice machine.

Size: The Assembly Hall measures 62 feet in length and 82 feet in width Capacity: The space can accommodate a party of 250 for a formal sit-down dinner and 500 for an open floor reception.

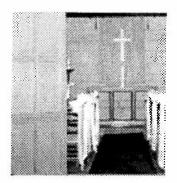
THE NINTH FLOOR LOUNGE

Of all Riverside's reception halls, the most spectacular is the Ninth Floor Lounge with its view of the Hudson River and New Jersey on one side and urban sprawl on the other. This beautiful gothic space with its own wood-burning fireplace comes with a full kitchen and a smaller side room perfect for coat-check or waiting room.

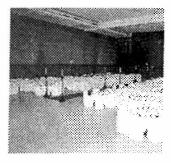
Size: The Lounge measures 37 feet in length and 65 feet in width. Capacity: The space can accommodate a party of 100 for a formal sit-down dinner.

PLEASE NOTE:

Reception spaces include roundtables, long tables, and chairs, but the rates do not include security deposits or cleanup fees.



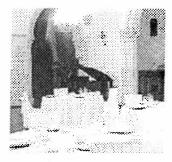
Meditation Chapel Sea



South Hall Seats 3



Assembly Hall Seats

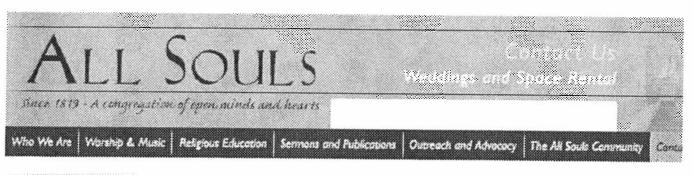


Ninth Floor Lounge Sea

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EXHIBIT B





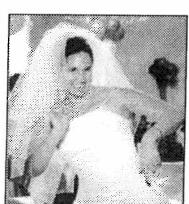
Getting Married at All Souls

Home

Thank you for considering All Souls for your wedding or Union Service. We would be very pleased to give you a tour or answer your questions.



All Souls welcomes couples of all faiths to be married here. Our ministers are ready to work with you to create a wedding service that affirms the backgrounds of both the bride and the groom. This is your day, and your ceremony.



a magnificent organ in the Sanctuary, and our Minister of Music will help you select traditional or nontraditional music. Other instrumentalists or soloists can be added to enhance your service.

Spaces are available for rehearsal dinners and receptions, and our experienced staff is here to make your wedding carefree and joyful.

Destination Weddings

All Souls invites coupl from all over the worl have their wedding in New York City, at All Souls Church. We can arrange for everythinfrom flowers to food.

For information on having your destination wedding at All Souls i New York City, conta Anne Gorycki at:

Phone: (212) 535-553(Fax: (212) 535-5641 E-mail: weddings@allsoulsny

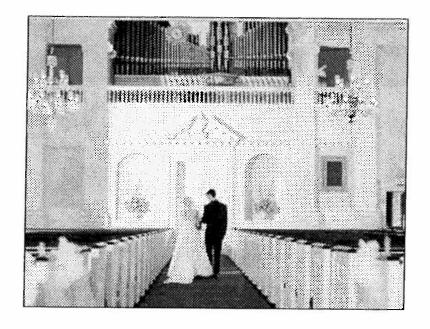
For more information

Space Rental Wedding Fees

For availability and or information, please contact Annie Goryck

Phone: (212) 535-5530 Fax: (212) 535-5641 E-mail: weddings@allsoulsny

Thank you!



Click here for wedding related fees. For more information and availability, please contact Annie Gorycki (212) 535-5530; fax (212) 535-5641; or e-mail weddings@allsoulsnyc.org Thank you!

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Space Rental at All Souls

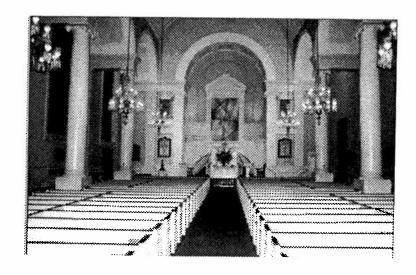
To help cover operating costs during times when normal church activities are not taking place, many spaces are for rent. Now is the time to come and use the lovely rooms:

- * for family occasions, from weddings to birthday parties
- * for corporate functions, from large seminars to breakfast meetings.

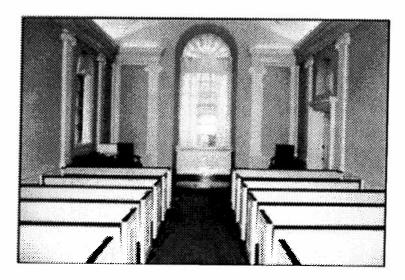
Tell your friends and colleagues about us. Call, and we'll send a brochure and arrange a tour.

Please contact Annie Gorycki at (212) 535-5530; fax (212) 535-5641; agorycki@allsoulsnyc.org or weddings@allsoulsnyc.org. Thank you!

The Sanctuary - An elegant space in pastel colors with six large chandeliers and five magnificent clear glass windows. The main entrance is on Lexington Avenue. The Sanctuary can accommodate 650 people but feels right with less than 100. A wonderful place for weddings or graduations.

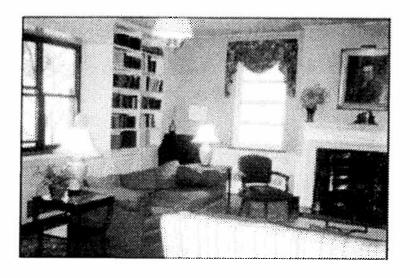


The Chapel - A charming simple room with pews. Ideal for small weddings or meetings of up to 60 people.

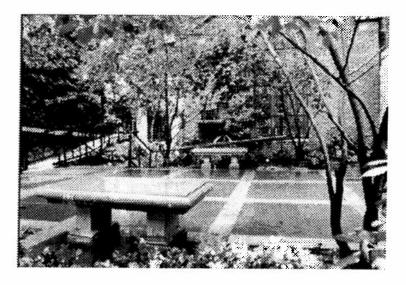


Spaces are available for rehearsal dinners and receptions, and our experienced staff is here to make your wedding carefree and joyful.

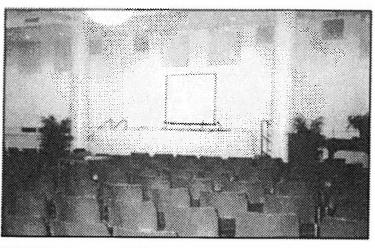
The Ware Room - A lovely living room with an adjoining kitchen. The Ware Room is next to the Chapel and is perfect for receptions for 40 people.

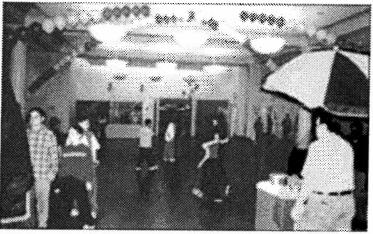


The Front Garden - An oasis in the city, with a plaza and benches lovely for small wedding receptions.

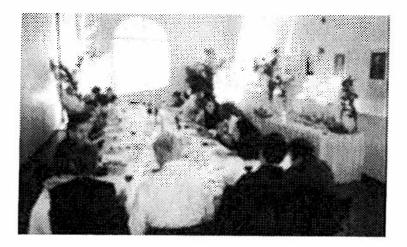


Reidy Hall - Newly renovated and air-conditioned. With four elegant columns and beautiful mouldings. There is a raised 8'x16' platform and a large commercial kitchen. The room is suitable for meetings of up to 250 people or for sit-down dinners for up to 160 people.





The Gallery - Adjacent to Reidy Hall, this room can be opened to enlarge Reidy Hall for meetings and special events for 350 people or for sit-down meals for 200. The gallery can also be used as a breakout room for similar meetings or meals for up to 50 people.



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Wedding Fees

Ceremony Space Fees

Weekday Sanctuary Weddings (10 a.m. to 6 p.m.)	\$500
Weekend Sanctuary Weddings	\$1,500
Chapel, Ware Room or Garden Weddings	\$300
Minister's Fees	
Sanctuary, Weekdays	\$300
Sanctuary, Weekends	\$500
Chapel, Ware Room or Garden, Weekday	\$250
Chapel, Ware Room or Garden, Weekend	\$350
Rehearsal Fee	\$100
Away from All Souls, still in Manhattan	\$350
Outside of Manhattan	\$400
Organist's Fees (for standard organ repertoire)	
Sanctuary, Weekday	\$250
Sanctuary, Weekend	\$350
Chapel, Weekday	\$200
Chapel, Weekend	\$300
If accompanying a soloist	\$300
Soloists, choir or additional instrumentalists are available.	,

Please contact Ann Gorycki at (212) 535-5530 or weddings@allsoulsnyc.org for information and additional fees.

Reception Fees

Ware Room or Garden	\$300/hour
Vestibule	\$300/hour
Reidy Hall Standing Reception	\$350/hour, 3 hour minimum
Reidy Hall Sit-down Meal Reception	\$1,000/hour, 3 hour minimum

Audio/Visual Fees (for wedding ceremony)

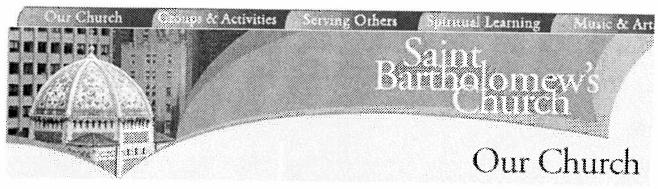
Multiple microphones, one or two-camera videotaping, and other services are available. Please contact Ann Gorycki at (212) 535-5530 or weddings@allsoulsnyc.org for information and fees.

> All Souls - 1157 Lexington Avenue - NY NY 10021 Tel: 212-535-5530 - Fax: 212-535-5641 e-mail: agorycki@allsoulsnyc.org

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Rent Space at St. Bart's

St. Bart's is available for movie and commercial filming and cast/crew holding and catering, as well as corporate events, fashion shows, rehearsal dinners, cocktail parties, and dances, among other events (for information about weddings at St. Bart's, please <u>click here</u>).

All catering is provided by Café St. Bart's. For more information or to arrange a site visit contact Linda Bayer at bayer@stbarts.org or 212-378-0254.

Why host your event at St. Bart's?

Manhattan's most beautiful landmark church—recognizable by its magnificent dome—has served as a backdrop to countless movies and TV commercials. A variety of settings await, whatever the size of your affair. The 5,000 square-foot Park Avenue Terrace (at the corner of 51st Street) can be combined with an adjacent indoor space with beautiful wood floors and lovely hand-painted beamed ceiling. The Third-Floor Terrace rooms are notable for genteel wood paneled interiors, and an optional adjoining 1000 square-foot terrace over looking Park Avenue. There is also an intimate walled Cloister Garden that is perfect for romantic photographs, or a small cocktail/dinner party.

Sacred spaces include the grand sanctuary, which includes the largest pipe organ in New York City and can seat 1250. An intimate and beautiful chapel is the perfect space for smaller weddings (for detailed information on weddings at St. Bartholomew's Church, please click here).

Our in-house caterer also operates our full-service restaurant, Café St. Bart's, and specializes in making each event a unique and memorable experience.

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St. Bartholomew's Church Park Ave at 51st St New York City Mailing Address 109 East 50th St

New York, NY 10022

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EXHIBIT D

New York Times December 27, 1992

Houses of Worship Widening Rentals

By CLAUDIA H. DEUTSCH

ABOUT three years ago, the Rev. Darrell Berger took a close look at the income and outgo of the Unitarian Universalist Church at 76th Street and Central Park West and the balance made him blanch. The landmarked church had deferred needed maintenance for decades, and its physical condition was getting dire. The endowment wasn't large enough to cover routine bills, let alone extraordinary repairs, and the congregation was neither rich enough nor large enough to make up the deficits.

But then Dr. Berger had a flash: If the building is the biggest drain on assets, why should it not also be the biggest contributor to them? After all, the sanctuary was used for worship services only on weekends. The church's main hall, conference rooms, gym and kitchens sat idle much of the time, too. And precedents had been set: Various organizations had rented space from the church for more than 20 years.

So Dr. Berger hired Fred Seidler to be the church's director of management and marketing. Mr. Seidler, in turn, sent letters and brochures to businesses, theater groups, members — anyone who might be holding an event. He advertised in New York magazine, Crains New York Business and The Village Voice. He put a display ad in the Yellow Pages. He even put a sign in the large picture window, between the two front doors, saying "Rental Space," and a number to call.

"Some people in the congregation thought that was tacky," Dr. Berger recalls. "I told them, I'll take it down when my budget balances.' ".

Dr. Berger is unusual only in the candor with which he discusses renting space and the comfort level he feels that no tax officials will look askance at any tenants he might accept. Many other religious institutions, fearful that openness about revenues from commercial enterprises will attract unwelcome attention from Federal, state or local taxing authorities, try to keep a low profile about that side of their activities.

But times being what they are, churches and temples are scrambling mightily to close deficits that seem to get wider with every year the stubborn recession continues. And increasingly, they are doing so by marketing their space to outsiders, even those whose activities seem tangentially if at all to be related to the church's mission.

"Renting space has always been an item on a temple's operating budget, but these days everyone is trying to rent more space to more organizations," said Rhoda F. Myers, president of the National Association of Synagogue Administrators.

Mr. Seidler is more succinct. "This is the wave of the future, and churches have to recognize it," he said.

Religious institutions serving as landlords is nothing new, of course. Several churches, including Rutgers Presbyterian on West 73d Street and Trinity Churchin Lower Manhattan, own buildings they rent to nonreligious groups. The Abyssinian Baptist Church in Harlem even has its own development corporation, which has built buildings.

And most churches and temples have long let other nonprofit groups use their sanctuaries or other spaces for meetings, for nominal rentals, or even free. Nearly all rent space to 12-step programs like Alcoholics Anonymous and to nonprofit educational or music groups.

TYPICAL example: St. Peter's Lutheran Church in Citicorp Center, well known for its many jazz concerts and other arts events, also rents its living room and kitchen to AIDS groups and other nonprofits for their own functions and fundraisers. "The thrust of our rentals is to cover costs, to make sure we keep the building in operation," said Sue Dennis, St. Peters's business manager.

But lately, the line between renting to other charitable uses and to for-profit groups has blurred. Several churches and temples are renting space to Weight Watchers, a for-profit group. One Connecticut temple is letting an S.A.T.-preparation group hold classes in its space, for a rental fee.

The Stephen Wise Free Synagogue at 30 West 68th Street rents space to Gymboree, a for-profit group, to set up a children's gym on weekday afternoons. Rodeph Sholom, at 7 West 83d Street, is the site of an antique book fair each year; the temple gets rent for the space and charges admission, the dealers keep revenues from the sales. Jan Hus Presbyterian Church at 351 East 74th Street has dozens of public events each week. including theater performances and antique sales.

Even Temple Emanu-El, New York's preeminent Reform Jewish temple, which has never used its ballroom or auditorium to raise revenue, has been "informally" talking about letting members use the space for receptions, said Mark W. Weisstuch, administrative vice president.

Some institutions are even fundamentally altering their spaces to pursue renters.

Until two years ago the auxiliary chapel on the lower level of the Church of Saint Ignatius Loyola was used primarily for parish gatherings and as a shelter for the homeless. But its sheer size and distinctive gothic design gave it potential for much more.

"You didn't have to be a rocket scientist to see what an underutilized asset this was." said the Rev. Walter Modrys, the pastor.

So the church, on Park Avenue and 84th Street, renovated the hall, which now has 8,000 feet of floor space, a 30-foot-deep stage, a kitchen, sound system, even 20 phone lines, should anyone want to hold a phonathon. The space rents for \$750 to \$3,000 per event, depending on the day of the week and whether the renter is a charity or for-profit group, plus extra labor, table-rental and high-season fees.

Already, it has had an antiques show, benefit dinners and wedding receptions, while continuing to be used for parish activities and, on alternate weekends, as a shelter for the homeless. Father Modrys hopes to get perhaps \$40,000 from the hall this year, more when word gets around.

"We are just now learning how to use the hall as a revenue raiser as well as a community resource," he said.

Outside New York, others are doing the same. Temple Beth El in Hollywood, Fla., has never aggressively sought renters for space, in part because it has a lucrative stream of money coming in from a cemetery it owns. But now, with its deficit growing, it has been advertising for a school to rent space it now uses for storage as classrooms.

"Even the largest, richest, Rock of Gibraltar temples are running deficits these days," said Ralph M. Birnberg, the temple's administrator.

Because of tax fears, church and temple officials tend to speak guardedly about space rentals. In fact, Marvin Myers, executive director of the National Association of Church Business Administration in Fort Worth, Tex., says that what appears to be a trend for churches to seek rental income is not, in fact, happening at all.

"They're afraid to be deemed in competition with other businesses that sell space," he said.

Their pivate-sector clients are doing little to assuage those fears. Chase Manhattan refused to talk about a party it held at the Universalist because it feared alienating bank clients that operate for-profit rental space. Jane Swain, the Gymboree liaison with Stephen Wise, would not take calls, and a man who got on the phone would not give his name and said the company would not discuss the arrangement lest publicity place the temple in an unwelcome tax spotlight.

The fears have a legal basis. Religious institutions, like other nonprofit organizations, are tax-exempt organizations under Section 501C3 of the Internal Revenue Code. Since nonprofts do not pay taxes, their costs are lower, and they can arguably compete unfairly with private companies offering space. And even if their costs were the same, the fact that they need not pay taxes on their revenues means they can offer lower prices.

The problem first hit the spotlight in the late 1940's, when the New York University School of Law bought the C.F. Mueller Company, a macaroni company. The I.R.S., wanting to tax the profits, argued that selling macaroni was unrelated to N.Y.U.'s

educational mission and that N.Y.U. shouldn't be able to trade on its tax exemption to kill the competition. N.Y.U. disagreed, arguing that the profits from selling the macaroni should be tax-free because all the proceeds were plowed back into N.Y.U.

The tax court ruled in favor of the I.R.S., and N.Y.U. was ordered to pay taxes on the sales. Although the Court of Appeals eventually overturned the ruling, Congress had already imposed a tax on unrelated business income.

To this day, the law remains vague about when money made on activities related to a nonprofit's mission is taxable -- and, in fact, on what kind of activity is so related. Is a concert, a book fair or a prep school part of a church's mission to serve a community? Or is it a thinly disguised commercial activity?

"That's what's really confusing the charities -- figuring out whether a function they have is related to their charitable activities," said Walter R. Bailey, a partner specializing in nonprofit tax matters at Rogers & Wells, a Manhattan law firm.

"Charging for space is not fatal in and of itself," added Eugene L. Vogel, a tax partner at the law firm of Rosenman & Colin, also in Manhattan. "Since a church's mission is social as well as religious, it's probably O.K. to rent to a local bridge club. But they would undoubtedly be taxed if they gave a year's lease to a restaurant."

So far, with no hard-and-fast rule, debates on tax issues continue among nonprofits of all kinds. Recent court decisions forcing television evangelists to pay taxes on many of their perks -- free housing, for example -- and on much of what they sell has made nonprofits even more nervous. When local sales and property taxes come into the picture, the waters grow even siltier.

"The regulations are so fuzzy that we worry sometimes," said the Rev. Jan Orr-Harter, the pastor at Jan Hus Presbyterian Church.

Actually, many of the fears are moot, if only because the taxing authorities show little inclination to crack down on activities at temples and churches whose basic legitimacy they do not question.

"The I.R.S. simply does not care if a local church rents a room to an aerobics class," said Richard R. Hammer, a lawyer who edits Church Law and Tax Report, a national newsletter published in Matthews, N.C.

Apparently, local tax people also offer benign neglect. "As long as rentals don't become their primary business, they have nothing to worry about," said Jon Lukomnik, an assistant commissioner in the New York City Department of Finance.

Still, worry they do. The minority of church and temple officials who will talk on the record about space rentals still tend to stress how restricted their rentals are and how little money they bring in. Temple Israel in Great Neck, L.I., has a full-time caterer and readily "SURE, we're running at a deficit, but renting out space to outsiders isn't the tack we want to take," she said.

The Rev. John A. Huffman Jr., senior minister of St. Andrews Presbyterian Church in Newport Beach, Calif., is adamant that the rent he is paid for concerts held in his church barely covers the costs of the events.

"In no way do we have money-making enterprises for the church," he said. "We continue to believe that God's people should support their work with their tithes."

Such proclamations are increasingly rare. Perhaps because of the continued laissez-faire attitude of the tax authorities, perhaps because of growing fiscal desperation, religious institutions slowly are becoming more open about their quests for paying renters.

The Church of Saint Ignatius Loyola, for one, is unabashedly looking for corporate functions. "We've sent brochures to caterers and schools, and we're looking for more ideas for where to send them," said Robin W. Zeamer, the church's space coordinator.

The Sisterhood of Congregation B'nai Jacob, in Woodbridge, N.Y., uses direct mail and calls to reporters to get more participants in a crafts fair it has held for several years.

"We've become more sophisticated and knowledgeable about how to do these things," said Ms. Myers, a sisterhood member. "Nothing is left to by gosh and by golly, we make sure the local paper knows."

Even the Stephen S. Wise Temple in affluent Bel Aire, Calif., which says it is not'in a cash squeeze, is putting ads for its facilities in its member newsletter and is sending reminders to members planning celebrations that the temple has wonderful space.

"The number of weddings and bar mitzvahs that we do has held constant from year to year," said Norman I. Fogel, the temple's executive director. "But the parties are smaller and less elaborate these days, so they're bringing less money in."

Despite the slow-growing acceptance among religious pragmatists that space should be rented, there are built-in restraints that will probably always keep rentals at a fairly moderate level.

For some -- particularly Roman Catholic churches, which must have approval from the archdiocese for any nonchurch event -- renting space can cause more bureaucratic red tape than it is worth. For others, there is not enough space to accommodate all churchrelated activities and still leave room for regular outside use. Still others, especially in Manhattan, say competition from local concert halls and ballroom spaces remains too high.

"We keep getting the nonprofit groups like the 12-step programs who can't even pay the \$100 an hour we want to charge," said the Rev. Robert Davidson, pastor of West Park Presbyterian Church on Amsterdam Avenue and West 86th Street, which makes about 10 percent of its budget from rentals. "The ones that can afford to pay more can rent out Merkin Hall" -- the concert hall on West 67th near Lincoln Center.

And many potential clients -- particularly corporate ones -- think twice before holding a function in a religious building lest they inadvertently offend clients or shareholders or attendees by seeming to favor one sect over another.

"I don't even try to take clients to church spaces anymore, because the board of directors rejects it every time," said Lore Moser, a Manhattan corporate events planner.

Still, the churches and temples are unlikely to stop trying to get renters outside the nonprofit world. One look at the Universalist Church's success can show why.

The Winston Prep School for learning-disabled students just signed a 10-year lease, with option to renew for five, for classroom space in the parish hall. The Karpales raremanuscript library pays to occupy the sanctuary, which has movable pews, during the week. Wedding receptions are common. The New York Theater Workshop had a spaghetti-night fundraiser. Manhattan Grace Tabernacle uses the space. Chase Manhattan Bank even held a Teller Appreciation Night at the church in the fall.

All told, rentals -- which average \$2,500 for weekend events, \$1,000 for weekdays -- now account for more than 85 percent of the church's \$460,000 budget.

"We're still struggling," Dr. Berger said, "but at least we don't have to dip into our endowment for expenses any more."

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45 WEST BIST STREET NEW YORK, NEW YORK 10024 212-302-9400 FAX: 212-767 2066

April 19, 2007

Third Church of Christ Scientist Att: Ms. Dora Redman, Clerk 583 Park Avenuc New York, New York 10021

Dear Ms. Redman:

As you know, our company has been eatering events in houses of worship throughout New York for more than fifty years. We are the exclusive caterers to four houses of worship and provide catering services on a non-exclusive basis to approximately fifteen other houses of worship. Our arrangements with the houses of worship in which we are the exclusive caterers are pursuant to agreements with those institutions. Our clients who are planning their events enter into an agreement with us directly for the catering services to be rendered on their behalf.

With regard to your inquiry, attached is a list of houses of worship with facilities similar to those at 583 Park Avenue, New York, setting forth the congregation size, the catering capacity and the average number of events.

If you are in need of any additional information, please feel free to contact me.

Very Truly Yours,

NEWMAN AND LEVENTHAL CATERERS, INC.

Burton Leventhal, President

Sculox Leverthe

BL:faz Enclosure

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NAME OF CONGREGATION	APPX. SIZE OF CONGREGATION	SEATED CATERING CAPACITY	AVERAGE # OF
Park Avenué Synagogue 50 E. 87th St., NYC	1500	58	e de la companya de l
Park East Synagogue 163 E. 67th St., NYC	1000	500	
Congregation Habonim 44 W. 66th St., NYC	1500	300	u
Cong. Rodeph Sholom 7 W. 83rd St., NYC	1200	400	. , , , ,
The Jewish Center	1300	250	ω

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THE CRYSTAL PLAZA

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Apr 19 2007 03:01pm P002/002



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April 19, 2007

Third Church of Christ Scientist 583 Park Avenue New York, New York 10021 Attn: Ms. Dora Redman, Clerk

Dear Ms. Redman:

I am the proud third generation owner/operator of The Crystal Plaza Caterers, my family business that was established in 1917. During our ninety-one year history we have catered all types of religious milestone events in many religious and secular facilities throughout the NY/NI Metropolitan area, in addition to our exclusive mansion in Livingston, New Jersey.

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We currently provide catering services on a non-exclusive basis to eighteen houses of worship and numerous secular locations.

The attached is a partial flat of the facilities that we render our services to.

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Sincerely,

Allan H. Janoff

	250	1002				
	780	100			1161 Amsterdam Avenue	Italian Academy
	350	1			Fifth Avenue at 42nd Street	New York Public Library
	1000	330			1083 Fifth Avenue at 89th St.	National Academy Museum
	1000	550			First Avenue at 45th Street	United Nations
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	300+	100			1220 5th Av-	Museum of the City of New York
	3000				130 East 80th Street	The Astor House
	200	475			58 East 68th Street at Park	Council on Foreign Relations
	375	200			2 West 64th Street	New York Society for Ethical Culture
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	400	200			725 Park Avenue	Asia Society Museum
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		300			593 Park Avenue	Central Presbyterian
					173 East 75th Street	St. Jean Baptiste
	333	100			980 Park Avenue	Wallace Hall @ St. Ignacious of Loyola
	500	360			1047 Amsterdam Ave.	Cathedral of St. John the Devine
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		225			109 East 50th Street	St. Barangiomew's Church
	600	350			490 Riverside Drive	X Verside Church
	593	8			160 Central Park West	Landmark on the Park
				-		Houses of Worship
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Events per	Rec #			Congregation	L L	The second secon
			The state of the last of the l			

Her. 20 2007 12:41PM The Rose Group

212 583 7206

Bruno Jamais Restaurant	24 East 81st Street	150	250
American Federation of the Arts	41 East 65th Street	- 100	125
1887 Townhouse	59 West 85th Street	25	50
James Burden Mansion	7 East 91st Street	180	250
Mount Vernon Museum & Garden	421 East 61st Street	210	350
Museum House	215 East 71st Street	100	250
Otto Kahn Mansion	1 East 91st Street	280	350
Ukrainian Institute of America	2 East 79th Street	110	200
Van Alen Mansion	15 East 65th Street	100	120

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MUSEUMS & PUBLIC VENUES

American Museum of Natural History

Central Park W. at 79th St.; 212-769-5817; amnh org

A membership fee of \$3,500 will give you access to the Powerhouse, which accommodates up to 300 guests for a seated dinner. This 5,000-square-foot loftlike space features French doors that open onto the Arthur Ross Terrace, offering dramatic views of the spectacular Rose Center for Earth and Space. Pre-event receptions can also be held in the North Galleria, a glass-walled space linking the Powerhouse to the Rose Center. Catering is provided by Restaurant Associates.

Americas Society

680 Park Ave., at 68th St.; 212-249-8950; americas-society.org

This cultural society, housed in a historic mansion, has a wood-paneled library with a barrelvaulted ceiling that's perfect for a ceremony or reception; the dining room holds 120 seated guests with dancing (your caterer must provide furnishings). A \$5,150 fee (\$2,800 of which is tax-deductible) buys you eight hours, day or night, except in August.

Angel Orensanz Foundation

172 Norfolk St., nr. Houston St.; 212-529-7194; orensanz.org

The oldest synagogue in New York, this dramatic 1849 building is now open to anyone who wants to throw a party. It is designed to replicate the Cathedral of Cologne: thick Gothic-style windows, a deep-blue, incredibly dramatic rib-vaulted ceiling, and even an elaborate Gothic arch. Prices vary depending on the day of the week and the number of guests (seats 260).

Bartow-Pell Mansion Museum

895 Shore Rd., nr. Roosevelt Pt., the Bronx; 718-885-1461; bartowpellmansionmuseum.org Nestled in the heart of Pelham Bay Park, this nineteenth-century stone mansion is a stunning backdrop for weddings held in its large formal garden, which has a fountain and reflecting pool. Rental fees from \$3,500, depending on the number of guests. Outdoor and tented weddings only.

Brooklyn Academy of Music

30 Lafayette Ave., at Ashland Pt., Fort Greene, Brooklyn; 718-636-4198; bam.org

This performing-arts mecca has been around since the Civil War, and it's a truly impressive place to hold a wedding, both for its exclusivity and for the significant red tape a couple faces in planning an event there. BAMcafe, located above the Grand Lobby, holds up to 400 for a cocktail reception and the rental fee is just \$1,500; Brooklyn residents get a significant discount. Great Performances is the in-house caterer. Interested couples should note that house fees can significantly raise the price.

Brooklyn Museum

200 Eastern Pkwy., nr. Washington Ave., Prospect Heights, Brooklyn; 718-501-6409; brooklynmuseum.org This museum houses internationally acclaimed collections of everything from Egyptian to contemporary art. You can host a five-hour event starting after 7 p.m. (from \$11,000). The Iris and B. Gerald Cantor Auditorium is popular for ceremonies, and you can serve hors d'oeuvre in the Cantor Gallery. The Grand Lobby and Entrance Pavilion accommodate up to



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Central Park Zoo

830 Fifth Ave., nr. 64th St.; 212-439-6500; nyzoosandaquarium.com

Known for its stunning architecture and exotic animals, the Central Park Zoo is a New York landmark. Prices range from \$5,000 to \$24,150.

Cooper-Hewitt, National Design Museum

2 E. 91st St., nr. Fifth Ave.; 212-849-8341; ndm.si.edu

Boasting the largest private garden in Manhattan, Cooper-Hewitt provides an extraordinary space for a wedding. It can accommodate up to 90 guests for an indoor seated event and up to 500 in the Arthur Ross Terrace and Garden. Upon renting out Cooper-Hewitt, you have access to the entire space, including the Great Hall and galleries. Catering is provided through Restaurant Associates. Fee for a five-hour event is \$25,000.

The Council on Foreign Relations/ Harold Pratt House

58 E. 68th St., at Park Ave.; 212-434-9400; cfr.org

The grand turn-of-the-century mansion features a marble staircase that connects the ballroom to a variety of smaller, wedding-ready spaces, from a library complete with fireplace and wraparound balcony, to the dainty drawing room. The various spaces can hold up to 180 for a seated dinner; prices start at \$5,500.

The Delegates Dining Room United Nations Building

First Ave. at 45th St.; 212-963-7099; aramark-un.com

The U.N. Building doesn't allow religious ceremonies but will host your reception. Start with cocktails on the West Terrace, followed by dinner in the Delegates Dining Room, a modernist restaurant with floor-to-ceiling windows overlooking the East River. From \$5,000 for security and \$175 per person for catering by Aramark.

Faculty House at Columbia University

400 W. 117th St., nr. Morningside Dr.; 212-854-7192; columbia.edu/cu/fachouse

This former men's club is a popular reception spot for couples getting married at St. Paul's Chapel, just across the street. On weekends, renters have access to the whole house, decorated with brass chandeliers, period furniture, grandfather clocks, and fireplaces. The average cost is \$120 per person for catering, plus \$1,500 for the rental of the entire space.

The Frick Collection

1. E. 70th St., nr. Fifth Ave.; 212-288-0700; frick.org

If you're lucky enough to be a private member (\$35,000 and up) of the collection, you're granted the privilege of using the space for a once-in-a-lifetime event. The lofty space, full of huge brick arched doorways and restored gilding, is separated into three different rooms—the entrance and reception hall, the Garden Court, and the Music Room—and accommodates up to 350 for cocktails and 200 for dinner. The cost of the reception starts at \$35,000, plus \$10,000 to \$15,000 for security, cleaning, insurance, and the like.

Grand Central Terminal

42nd St. at Park Ave.; 212-340-3404; grandcentrafterminal.com

Vanderbilt Hall, the old 12,000-square-foot main waiting room decorated with five of the original 1913 gold chandeliers and tons of pink marble, can be rented for weddings after 5 p.m., albeit at a cost: \$20,000 and up. Choose from twelve exclusive caterers to provide food and furnishings (that's extra, of course). The space is unavailable from mid-November to the end of December.

The House of the Redeemer

7 E. 95th St., nr. Fifth Ave.; 212-289-0399; houseoftheredeemer.org

The contents of the fifteenth-century wood-paneled library in this Italian-style palazzo were all imported by Cornelius Vanderbilt's great-granddaughter, and the effect is straight out of the Renaissance. The first floor of the landmarked house is available for a 100-person sit-down dinner; the second can hold receptions for 100 or fewer. Rental fees are \$2,500 to \$4,500.

Hudson Theatre

145 W. 44th St., nr. Broadway, 212-789-7502; millenniumbroadway.com

Opened in 1903, this landmarked theater is one of the city's oldest showplaces, offering soaring architecture and backlit stained-glass Tiffany ceilings. For weddings, theater seating is replaced by beautifully appointed tables that match the burgundy stage curtains and draperies. Prices start at \$150 per person, which includes a cocktail reception, five-hour open bar, full dinner, wedding cake, and an overnight suite in the Millennium Hotel.

Jazz at Lincoln Center

33 W. 60th St., at Columbus Circle; 212-258-9829; jaic.org

Start with your ceremony at the adaptable Rose Theater and follow with a reception in the

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glorious feature is a wall of glass through which Central Park and Columbus Circle look nothing short of magical. Catering is by Great Performances; prices upon request.

Merchants House Museum

29 E. 4th St., nr. Bowery; 212-777-1089; merchantshouse.com

Not only does this preserved nineteenth-century home boast two Greek Revival parlors that seat up to 50, it also has a granite-tiled garden filled with lush plantings and cast-iron furniture. On the ground floor there is a dining room and a period kitchen, which holds 70 guests for a cocktail reception.

Museum of the City of New York

1220 Fifth Ave., at 103rd St.; 212-534-1672; mony.org

It's a thrill being able to sit and dine among the museum's nineteenth-century oil paintings. The walls of the galleries are fortified by large Greek columns, and arched hallways connect the various galleries. The first and second floors of the museum (as well as its auditorium) are available to rent: \$6,000 for the first floor, \$4,500 for the second, or \$7,500 for both. Available only after 5 p.m.

Neue Galerie

1048 Fifth Ave., at 86th St.; 212-628-6200; neuegalerie.org

A cool, original location for a wedding, this restored 1914 mansion features several event spaces for couples to reserve. Mingle with your guests among the Klimts and Schieles on the two gallery floors, or take advantage of the intimate, speakeasy feel of Cafés Sabarsky and Fledermaus. It should be noted that usage of the various rooms is donation-based: for \$5,000 you can host up to 60 guests; for \$25,000 you can host 100 or more.

National Academy Museum

1083 Fifth Ave., nr. 89th St; 212-369-4880; nationalacademy.org

The Academy houses one of the country's largest collections of nineteenth-through-twentieth-century American art, and it's also a fantastic wedding venue: Located in a gorgeously detailed Beaux Arts townhouse with a statue-flanked spiral staircase at its center, the onetime private residence can accommodate up to 240 for cocktails or 140 for a seated dinner. Prices average \$2,000 to \$5,000.

New York Aquarium

602 Surf Ave., at 8th St., Coney Island, Brooklyn; 718-265-4740; nyaquarium.org

Say "I do" outdoors, surrounded by walruses, penguins, and Willie the sea otter. Follow with a candlelit reception in a room walled on one side by a 150,000-gallon coral garden. The rental fee is \$1,875 to \$10,000 (depending on which exhibition space you use). Parties must start after closing and can run as long as you're willing to pay.

New York City Fire Museum

278 Spring St., nr. Hudson St.; 212-691-1303; nycfiremuseum.org

On the outskirts of Soho sits this museum filled with two floors of antique fire trucks and equipment. Rent the 3,000-plus-square-foot third floor for your wedding and reception (\$3,300) and get access to the whole museum for eight hours (three of which are allotted for setup and cleanup).

New York Hall of Science

47-01 111th St., Flushing Meadows-Corona Park, Corona, Queens, 718-699-0005; nyscience.org
With more than 400 interactive exhibits, the Hall of Science will entertain your most jaded guests. For \$4,000 to \$6,000, you can hold a wedding and reception for up to 350 with dancing in the stained-glass-filled, curvilinear Great Hall, serve cocktails for up to 3,400 in the exhibition halls (which boast a climbing wall and virtual arm wrestling, among other amenities), or toast in the colorful, high-ceilinged Viscusi Gallery.

The New York Public Library

476 Fifth Ave., at 41st St.; 212-930-0730; nypl.org/spacerental

What bride wouldn't want a picture of herself descending the majestic steps of the New York Public Library on the day of her wedding? This New York landmark may be out of many couples' budgets, but it boasts three amazing spaces: the Celeste Bartos Forum, Astor Hall, and the McGraw Rotunda. Expect a lot of red tape to accompany just about every decision you make. Prices upon request.

St. Bartholomew's Church

Park Ave., at 50th St.; 212-378-0200; stbarts.org

Midtown landmark St. Bart's is best suited for couples who want the church to play a hands-on role in helping them plan a traditional ceremony. The church has music directors and a florist, and offers several options for using the chapel or other adjoining rooms for the reception. Outside musicians and florists must consult with the church's wedding planners to

The Top Deck at the Seamen's Church Institute

241 Water St., nr. Peck Slip; 212-349-9090; seamenschurch.org

Windows and skylights illuminate this interfaith chapel, which seats 75 people. With glass walls and a wraparound terrace, the Top Deck provides spectacular views of the Brooklyn Bridge and the lower Manhattan skyline. The Ships Gallery can be used as your cocktail room and holds up to 130 guests. Fees start at \$3,800.

South Street Seaport Museum

12 Fulton St., nr. East River Dr.; 212-748-8600; southstseaport.org

The unique spaces available at South Street Seaport aren't just for nautical enthusiasts—
anyone with an affinity for open air and a respect for history will be thrilled at what's offered,
from the high-ceilinged Melville Gallery, which hosts up to 125 for cocktails, to the ships (the
Tall Ship Peking and Ambrose Barge, as well as the Pioneer, a nineteenth-century schooner
that can take you and your guests on a sail up the river). Gallery rates start at \$2,500; boat
and pier rentals range from \$5,000 to \$15,000.

The Waterfront Museum & Showboat Barge

290 Conover St., at Pier 44, Red Hook, Brooklyn; 718-624-4719; waterfrontmuseum.org

It may be out of the way, but this restored 1914 wooden barge is a funky destination with great views of New York Harbor and Manhattan, and an appealingly rustic look. They've also recently built a garden pier that's perfect for an outdoor reception, and the city's promise of a future Red Hook ferry could make the venue that much more accessible. Capacity on the boat is 100 for cocktails, 90 for a seated dinner. Prices start at \$2,500 for a 90-person seated dinner.

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From the Winter 2007 New York Wedding Guide

New York Weddings Ultimate Resource Guide

Manhattan Penthouse

80 Fifth Ave, New York, NY; 212-627-8838; mansionscattering.com

Manhattan Penthouse, 80 Fifth Ave, 8,000 sq. ft., 50 to 250 guests with dancing, has the best 360 views in NYC through giant arched windows and the finest foods and services. Alger House, 25-125.

Patroon

160 East 46th Street, New York, NY 10017; 212-883-7373; patroonrestaurant.com

Patroon is perfect for the smallest event of 4 guests to larger events up to 400. Whatever your personal style, Patroon offers a private dining room to match any event

Pratt Mansions

1027 Fifth Avenue, New York, NY 10028; 212-744-4486 ext.173; prattmansions.org

The beautifully detailed salons in our turn of the century mansions on Fifth Avenue combine the grandeur of a mansion with the warmth of a private home—perfect for a wedding.

Sel et Poivre

853 Lexington Ave, New York, NY 10021; 212-517-5780; seletpoi/renyc.com

A casuady elegant classic bistro ideal for an intimate wedding or rehearsal dinner seats 65. A 3 course meal with an open bar starts at \$60.00 p/p. Brunch starts at \$35.00.

State

54 West 21st Street, New York, NY 10010; 212-989-0096; slate-ny.com

One of New York's only venues with private and semiprivate reception spaces. Featuring steek décor, sumptuous modern American cuisine, dance floor and banquet seating perfect for rehearsal dinners and receptions.

Trump on the Ocean

P.O. Box 1400, Jones Beach, NY 11793; 516-221-8786 (Trump); trumpontheocean.com

A brand new, richly appointed architectural gem on the Atlantic Ocean offering world class catering with spectacular water views. Now accepting reservations for Spring 2009, Make it memorable. Make it Trump,

EXHIBIT G

DocumentI

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583 PARK AVENUE NEW YORK, NY 10021-7363 (212) 838-1870 E-Mail Third ChurchOffice@Juno.com

MEMORANDUM

Date: May 7, 2007

Re: Church Activities, Past and Expected Church Use of Our Building, 583 Park

1. Perspective

Third Church of Christ, Scientist began in the 1880's as a group of dedicated students of Christian Science, which by 1895 applied for a charter and was registered under the laws of the State of New York.

By 1905, the members had purchased an existing building, formerly the Harlem Presbyterian Church, able to seat 800 people, as membership grew substantially.

By 1918 Third Church members had concluded that it could best serve the growing nature of New York City by relocating to the southern portion of its literature distribution territory. The Church first opened a Reading Room at 680 Madison (61st/62nd and Madison) and then in 1920 purchased the property at 583 Park. Engaging the architects Delano and Aldrich, the members funded and built a classic Georgian-Colonial building, simple while elegant, both in interior and exterior, with a seating capacity of 1500ⁱⁱ.

First Sunday services were held at 583 Park in December 1923.

By the middle of the 20th Century, Third Church evidenced the following dynamic activity:

- Two Sunday Services, mornings and afternoons, with attendance sometimes at the/1,500 seating capacity.
- Wednesday Testimony Meeting in the evening with attendance in the 1,000 to 1,400 levels.
 Note: Some other NYC Christian Science (C.S.) Churches had two Meetings: Noon and Evening, to handle Wednesday Testimony demand.
- Thanksgiving Services similarly packed with attendance.
- Folding chairs added in the aisles and in the Sunday School basement space would expand seating to close to 2,000 attendees.
- Spillover attendance chauffeuredⁱⁱⁱ to other Christian Science churches when seating was full.
- A half-dozen or more Christian Science Lectures each year that would result in lines of people outside the church building and around the corner from Park to 63rd waiting to be ushered in.
- Significant Committee Meetings held most days of each week: Ushers, Sunday School, Reading Room, Property, Music, Finance, Care, Reception, Cloak Room, Literature Sales Room, Literature Distribution (which alone had dozens of members involved in sorting, organizing, and distributing free literature to dozens of locations in the immediate neighborhood and Greater New York City area), and other committees.

- On average four Corporate Meetings for the full membership in the main auditorium each year that often ran well into the evening to complete (10 - 11 PM).
- Trustee Meetings at least once each month (up to 10 11 PM).
- Special workshop meetings, frequently running two or more days and evenings with emphasis on the Bible and spiritual healing topics.

In addition, the Christian Science Movement concurrently stimulated and sponsored 1.

- Youth Forum activities for late teens and young adult singles emphasizing wholesome social as well as church related activities (many revolving around the Christian Science Monitor). Socials could run past midnight.
- Some adult socials (such as a dance) that could run past midnight.
- Encouragement of use of church auditoriums as a place for quiet prayer, reading of Christian Science literature made available on tables in the Foyer and elsewhere, and informal O&A between visitors and active members.

2. Third Church Renewal

The effort to structure the church and its building, so that it can provide sufficient economic selfsufficiency to restore 583 Park to quality and full-functioning status, includes with it an expectancy of renewed growth of membership and attendance. Just within the past year, with the beginning of renewal, Third Church has added more members than in any previous year within the past fifteen.

While the direction of its Founder, Mary Baker Eddy, is not to focus on or publish membership numbers, it can be reasonably assumed that Third Church at 583 Park Avenue was built for and can support church activity well exceeding 1,000 in attendance.

In addition, the needs of New York City and of contemporary lifestyles encourage a less formal and more open outreach process to serve the community such as making the church available specific evenings for such as Prayer Time at Third Church, NY, with appropriate reading material, soft music accompaniment, and some access to "Class Taught" Christian Scientists to answer questions and provide a level of immediate ministry. Thus the Church could, when ready open its doors to the community from 9 PM to Midnight on Wednesdays and Sundays -- as a prayerful retreat in the middle of Manhattan.

Further, the inclusion of a working kitchen vii – generally present in most churches and synagogues today, opens up for the members the opportunity to extend and expand meetings (inclusion of lunch or dinner in support of long study and discussion sessions) and makes church activities more convenient and efficient (not having to break for 1.5-2 hours while participants scatter across the neighborhood seeking meal service).

Changes and improvements to the building provide the Church with greater flexibility in configuring space and conducting meetings tailored to the needs and convenience of its congregation and the range of activities hosted by the Church. This new building flexibility includes:

- Removal of fixed, tightly-spaced pews
- Availability of stackable chairs that can be positioned in rows, semi-circles, study group circles, or however best serves the function needs
- Digital-controls that can set thematic light framing, tailored to a specific church meeting or event

- Substantially strengthened and more effective elevator system, especially desirable for attendees in wheel chairs or of elder age
- More bathrooms modernized and now ADA-compliant, though in restorative quality and design
- Planned replacement of the worn physical sign on Park Avenue by a digitally-controlled sign that facilitates updating of church activities to passers-by and the community, designed with highest quality aesthetics

Finally, the Church has wanted to give back to the community even more and to become clearly integrated with the neighborhood; consideration is being given, for example, to being available for Open House tours (www.OpenHouseNY.org) and/or also to offering two or more specially prepared free organ concerts for the general public.

3. Church Standards Affecting the Community

Members typically join Third Church after experiencing spiritual healing. As their understanding of Christian Science grows, they choose to abstain from drugs and other material dependencies. Often they attend services, use the Reading Room, study the Bible and the writings of Mary Baker Eddy, Founder and Pastor Emeritus, for months or even years before they are ready to commit to the mission of Christian Science through church membership. Attendance is often much larger than membership, especially evident at Christian Science Lectures and such popular services as Thanksgiving.

Church services, Lectures, the Reading Rooms and many other outreach activities are open to "all honest seekers of Truth"."

Third Church historically has been known as an institution and body of members holding high standards, and sensitive to neighbors, the community, and the City. Christian Scientists believe in the Golden Rule, and just as they would not want impositions placed on their practice of Christian Science, they do not impose restrictions or Christian Science rules on others.

Concurrently, however, the Church strives to be sensitive to its neighbors and to any impact the Church or anyone associated with it might have on the community. Members abstain from alcohol and smoking and urge others to also, but seek only to impose standards reached by community consensus. These standards currently include the ban on smoking in public places, laws against disorderly conduct, driving while intoxicated, noise pollution, and illegal parking.

Third Church chose to enter into an agreement with the Rose Group, skilled caterers, because it believes they share the Church's appreciation of high standards. The following steps have been taken or are being taken to cushion any material impact that expanded use of the Church and its building might create:

- Refrigeration of garbage within the sub-basement of the Church building. Reactivation of the "Sidewalk Lift" (once used to transport coal into the building) to move trash up to 63rd Street during authorized garbage removal periods only when authorized trash removal vehicles arrive.
- Master-system digital control of all sound and light systems within 583 Park so that individual participants cannot project sound or light above or beyond pre-set limits, in keeping with established standards and rules.
- Employment of a professional Sound Study by Third Church to measure acoustic and decibel level impacts inside and outside its building and, especially, what might be heard or seen by neighboring buildings. The Church ordered proposals from three qualified NYC sound study firms and has selected one for this important work; all reasonable steps from study recommendations will be taken.

- Use of upwards of a half-dozen ushers to speed passenger drop-off in front of the Church building. Employment of Valet Parking for many events as well as arrangements with nearby parking garages to handle private vehicles.
- Planned use of off-duty policemen from the nearby Precinct to control traffic on Park Avenue and 63rd Street, to mitigate illegal parking, double-parking, or other hindrances. Enforcement of the "no parking zone" in front of 583 Park.
- Church Activities Expected (I) Within a Few Years Following Restoration and Restoral, and also 4. (II) When Third Church Approximates its Earlier Attendance Levels

For most of its existence and up to just four years ago, Third Church sponsored and held two Sunday Services. With renewal -- stimulated by physical restoration of its decaying 85-year old building coupled with sustained increases in income permitting a growth agenda once again, the Church expects to bring back an array of activities and services that were prevailing not long ago and/or have been considered, to reflect a more contemporary set of church-going needs.

The following table reflects the activities of the Church and expected use of hours, drawing on its rich and dynamic history as well as present experience of other Christian Science churches with dynamic, community-serving programs.

Expected Weekly and Monthly Church Activities 5.

		At Full Activity ¹	Within a Few Years ²
Activity	General Hours of Use	Comments	Comments
Sunday Church Services	9:30-1 PM, 6-9:30 PM	Two/week; up to 1,500 attendees	Two/week; up to 200 attendees
Sunday School	10 – 1 PM	Located in basement. 80- 100 children and adult staff	Located in basement. 25- 30 children and adult staff
Wednesday Testimony Meetings	11-1:30 PM, 6-9:30 PM	Two/week ix; often with 1,000 or more attendees	Two/week; often with 100 - 150 or more attendees
Thanksgiving Service	9:30-1 PM	Popular service on Thanksgiving Day, up to 1,500 attendees.	Popular service on Thanksgiving Day, up to 500 attendees.
Christian Science Lectures	11-2 PM for Noontime, 6-10:30 PM Evening	About six/year; up to 2,000 attendees	About four/year; up to 800 attendees
C.S. Association Meetings ^x	7 AM – 8 PM, Saturdays prep days before, after	About seven/year; up to 800 members each.	About four/year; up to 600 members each.
C.S. Class Instruction ^{xi}	7:30 AM – 7 PM, Mon- Fri for two weeks	About five/year ^{xii} ; up to 30 students + Teacher	About four/year; up to 30 students + Teacher
Branch Committee Meetings	AM, PM, Evenings, upwards of three/day.	At minimum several times per week year-round; 5-50 members per meeting	At minimum several times per week year-round; 5-20 members per meeting
Third Church Trustee Meetings	Evenings 5:30 – H PM	Up to two/month, 6 members	Up to two/month, 6 members

Based on Church attendance regaining levels of the 1940's and 1950's

²Based on expected attendance and Church activity within three-five years (2010-2012).

		At Full Activity	Within a Few Years
Activity	General Hours of Use	Comments	Comments
Corporate Meetings of Membership	Full day Saturday in Jan, May, Sept, other usually in evenings, up to 11 PM	five/year; full Membership	Minimum of three, to five/year; full Membership expected.
Readers Rehearsals	Generally: Wed, 5-6 PM, Fri, 7-8:PM, Sun 9-10	Usually at least three/week; some Readers in church many hours, many days; have their own suites	Usually at least three/week; some Readers in church many hours, many days; have their own suites
Soloist Rehearsals	Sat or early Sun AM	Generally one, Sunday prep	Generally one, Sunday prep
Organist Rehearsals	Wed, Sun hours before services start	Generally two/week, though more necessary for special meetings, Lectures, other	Generally two/week, though more necessary for special meetings, Lectures, other
Piano Rehearsals	2-3 hours each week, usually late PM Thurs/Fri	For the Sunday School	For the Sunday School
Clerk/Treasurer/Building Mgmt.	Six-seven days/week	Physically on 4 th Floor, all over the building during day	Physically on 4 th Floor, all over the building during day
Superintendent Staff focused on Church activities and needs	In parallel with all Church meetings, services, events, before and after, six-seven days/week	Housed in Superintendent Office but all over the building during day and evenings	Housed in Superintendent Office but all over the building during day and evenings
Coordinated support to 3 rd Church Reading Room now on 62 nd and also Jointly- Maintained Reading Room now on Church Street in area of City Hall	Six-seven days/week Involves Clerk's Office + special committee work	Reading Rooms are located elsewhere but coordination is from 583 Park	Reading Rooms are located elsewhere but coordination is from 583 Park
Coordinated support for Spanish-speaking Services, Lectures, and radio lectures for the Tri-State area	Weekly planning, coordination, staffing as well as financial support	Spanish speaking services are held at 9 th Church but run from 3rd	Spanish speaking services are held at 9 th Church but run from 3rd
Tri-State C.S. Committee Meetings	Either Saturdays or Evenings, up to 11 PM	One-two per month; 5-50 per	One-two per month; 5-20 per
Coordinated support for Tri- State advertising that spans several institutions and activities	Weekly planning, coordination, and commitment of other resources to specific missions	Generally about a half dozen C.S. supporting institutions look to 3 rd	Generally about a half dozen C.S. supporting institutions look to 3 rd
Bookmobile coordination and prep for the Tri-State area	Generally once a week involving many hours; up to 12 people involved.	In support of special events, some outdoors (NYC street fairs, etc)	In support of special events, some outdoors (NYC street fairs, etc.)
Periodic Special Meetings for the Tri-State area that often include senior representatives from The Mother Church (TMC)	Can cover two-four days each; meetings generally in the evenings or on Saturdays	TMC: The First Church of Christ, Scientist, in Boston, MA; C.S. Headquarters 3-4 per year	TMC: The First Church of Christ, Scientist, in Boston, MA; C.S. Headquarters 1-2 per year
Literature Distribution prep and coordination for Third Church area	Twice/week involving many hours: daytime, evenings.	Can be intense, time- and people-demanding work. Up to 50 people involved	Can be intense, time- and people-demanding work. Up to 20 people involved
Special Workshops, generally Bible-centered, encouraged by TMC, sponsored by Third Ch.	or several evenings.	Attendance from a couple dozen to many hundreds, depending on focus, scope document by Third Church of Christ,	Attendance from a couple dozen to hundreds, depending on focus, scope Scientist, of New York City, 583 Park

		At Full Activity	Within a Few Years
Ancillary Activity	General Hours of Use	<u>Comments</u>	Comments
Youth Forum activities (see: www_TMCYouth.com), quasi-social	From a couple to many hours, centered generally on young adult singles. Some quite deep metaphysically; a few 9 PM - Past Midnight.	Can concentrate on The Christian Science Monitor or Spiritual Activist Summits; some events merely social, such as a dance; about ten active events/year.	Can concentrate on The Christian Science Monitor or Spiritual Activist Summits; some events merely social, such as a dance; two-three/year.
Operation of an active, information-current website for Third Church to connect members, attendees, guests, the young, all interested. (re: http://www.thirdchurchny.com/plan)	Several hours per day six days per week to maintain and enrich an interactive website that is relevant.	Headquartered in 583 Park Avenue, communicating locally and as far as the Internet spans.	Headquartered in 583 Park Avenue, communicating locally and as far as the Internet spans.
"Prayer Time at Third Church ^{xiii} "	Two evenings per week keeping Church open to the public for quiet prayer, study, Q&A with Class Taught Christian Scientists;9 PM-Midnight	Providing the City and the immediate community a safe prayer-focus haven. Soft music accompaniment ^{xiv} .	Providing the City and the immediate community a safe prayer-focus haven. Soft music accompaniment.
Adult socials ^{xv}	On a Friday or Saturday evening; 9 PM – Past Midnight.	Dance, dinner event, or centered on a serious subject. 3-4/year	Dance, dinner event, or centered on a serious subject 1-2/year
Weddings and Memorial Services ^{xvi}	As needed. Planning, coordinating, overseeing. Weddings can run late.	As needed; at least a dozen per year. Memorial Services handled by First Reader. Weddings require an outside Minister.	As needed; at least a dozen per year. Memorial Services handled by First Reader. Weddings require an outside Minister.

Expected Average Hourly Use of Church Building 6.

		At Full Activity ³	Within a Few Years ⁴
Activity	Timing of Use	Average Hours in Use/ Month ^{xvii}	Average Hours in Use/ Month
Sunday Church Services	AM, PM	7/week = (calculated into Totals)	7/week = (calculated into Totals)
Sunday School (basement space)	AM to about I PM	3/week = (within same hours as church)	3/week = (within same hours as church)
Wednesday Testimony Meet.	Noon and eve periods	6/week = (totals by month)	6/week = (totals by month)
Thanksgiving Service	AM to about 1 PM	Thanksgiving Day only	Thanksgiving Day only
Christian Science Lectures	Eve period during week Noon period on a Sat	Lecture Day + planning meeting, at least ½ day every two months	Lecture Day + planning meeting, almost ½ day every two months
C.S. Association Meetings xviii	All day on a Saturday	10-12 hours for event, 2-3 hours day before, after. About 7 Saturdays during the year	10-12 hours for event, 2-3 hours day before, after. About 5-6 Saturdays during the year

³Based on Church attendance regaining levels of the 1940's and 1950's ⁴Based on expected attendance and Church activity within three-five years (2010-2012).

		At Full Activity	Within a Few Years
Activity	Timing of Use	Average Hours in Use/ Month	Average Hours in Use/ Month
C.S. Class Instruction*ix	Generally Summer months	9-10 hours for two weeks straight. Space for 30 people.	9-10 hours for two weeks straight. Space for 30 people.
Branch Committee Meetings	Concentrated in eves, Sat, Sun (outside of services)	30-40 hours/week. Space for from 5 – 50 per meeting.	15-20 hours/week. Space for from 5 – 15 per meeting.
Third Church Trustee Meetings	6 PM – completion, can be as late as 11 PM	Including prep work, averages 20 hours per month. 4 th Floor Board Room.	Including prep work, averages 20 hours per month. 4 th Floor Board Room.
Corporate Meetings of Membership	3 rd Saturday in January, May, Sept, Other Eves	Including prep, averages 14 hours per quarter. Main space	Including prep, averages 14 hours per quarter. Main space
Readers Rehearsals	Usually squeezed in Fri Eve Sun AM, Wed early Eve	6-11 hours/week = Readers' Suites + Platform time	6-11 hours/week = Readers' Suites + Platform time
Soloist Rehearsals	Usually squeezed in early Sun AM	2-3 hours/week =	2-3 hours/week =
Organist Rehearsals	Usually squeezed in Wed early eve, Sun AM	3-4 hours/week =	3-4 hours/week =
Piano Rehearsals	Fri eve or Sun AM, Sunday School space	1-2 hours/week =	1-2 hours/week =
Clerk/Treasurer/Building Mgmt.	Better part of seven days/wk	60-100 hours/week = 4 th Floor + "walking the church"	50-80 hours/week = 4 th Floor + "walking the church"
Superintendent Staff focused on Church activities and needs	Better part of seven days/wk	70-90 hours/week = Maintenance Office + "working the church building"	70-90 hours/week = Maintenance Office + "working the church building",
Coordinated support to 3 rd Church Reading Room (RR) and also Jointly-Maintained RR	Varies by need but usually some every day	3-8 hours/week = Largely done from 4 th Floor	2-4 hours/week = Largely done from 4 th Floor
Coordinated support for Spanish-speaking Services & Lectures	Varies by time period, some months relatively quiet.	1-5 hours/week = Largely done from 4 th Floor	I-2 hours/week = Largely done from 4 th Floor
Tri-State C.S. Committee Meetings	Some activity every month, some quite demanding	1-5 hours/week = Coordination from 4 th Floor, meetings can take major space and involve many participants	1-3 hours/week = Coordination from 4 th Floor, meetings can take major space and involve many participants
Coordinated support for Tri- State advertising	Varies by time period, some months quiet.	A couple hours per week. Largely done from 4 th Floor	A couple hours per week. Largely done from 4 th Floor
Bookmobile coordination and prep for the Tri-State area	Some activity every month, some quite demanding	2-8 hours/week = Coordination from 4 th Floor, team work takes space	2-3 hours/week = Coordination from 4 th Floor, team work takes space
Periodic Special Meetings for the Tri-State area	Varies by time period, some months relatively quiet.	Coordination from 4 th Floor. Special Meetings usually involve a lot of people and much space.	Coordination from 4 th Floor. Special Meetings usually involve a lot of people and much space.

Page 8, Proprietary document by Third Church of Christ, Scientist, of New York City, 583 Park

		At Full Activity	Within a Few Years
Activity	Timing of Use	Average Hours in Use/ Month	Average Hours in Use/ Month
Literature Distribution	Late PM, evenings; some Sat and Sun work	4-8 hours/week = Involves a lot of people and much space to sort, prep.	3-5 hours/week = Involves a lot of people and much space to sort, prep.
Special Workshops	Daytime, evening and Sat prep. Workshops can be relatively intimate or huge (a couple hundred people).	Workshops themselves run from ½ day to several days, from two to a few times per year. Much coord, and prep. Attendance can be very large.	Workshops themselves run from ½ day to several days, from one to a few times per year. Much coord, and prep. Attendance can be sizeable.
Youth Forum activities (see: www.TMCYouth.com), quasi-social	Keyed on non-school timing so weekends are priorities as are Summer months.	2-8 hours/week by Youth task forces; much prep around school holidays/breaks. Youth workshops from 1-3 days. Socials can run past midnight.	I-3 hours/week by Youth task forces; much prep around school holidays/breaks. Youth workshops from I-3 days. Socials can run past midnight.
Operation of an active, information-current website for Third Church http://www.thirdchurchny.com/plan	Most work done during daytime hours. Maintenance 24x7 (largely uses an outside hosting service).	Maintaining a dynamic, interactive website requires a "Webmaster" 20-40 hrs/wk = Largely directed from 4 th Floor. Keys into ALL Church activities and outreach.	Maintaining a dynamic, interactive website requires a "Webmaster" 20-40 hrs/wk = Largely directed from 4 th Floor. Keys into ALL Church activities and outreach.
"Prayer Time at Third Church"	Targeting Wednesday and Sunday evenings/late.	10 hours of focused time, 6 open to public.	10 hours of focused time, 6 open to public.
Adult socials	Generally Friday or Saturday events, in the evening.	1-6 hours/week. Coordination includes Clerk's Office and adult special subcommittees. Socials can run past midnight.	I-6 hours/month. Coordination includes Clerk's Office and adult special subcommittees. Socials can run past midnight.
Weddings and Memorial Services	Memorial Services can be anytime, as requested (First Reader presides). Weddings similar to general practice (Ordained Minister).	As requested ^{xx} . From a couple of hours to a couple of days/month. Requires major space (one of two major church floor spaces).	As requested XXI. From a couple of hours to a couple of days/month. Requires major space (one of two major church floor spaces).
Catering Support			
Catering for Church-Specific	Church activities, meetings, Lectures, weddings, and the like.	4-6 hours/week, once in full operational use. Most large scale.	4-6 hours/week, once in full operational use. Some small scale.
Catering for Outside Events	Mostly in evenings; some late; Sunday after morning Church and Sunday School services	13 hours/week for "live" events, "prep time" is behind kitchen and other workspace areas, not interfering with Church.	13 hours/week for "live" events, "prep time" is behind kitchen and other workspace areas, not interfering with Church.
Total Catering Activity	As needed (see above)	17-19 hours/week, some with other church functions	17-19 hours/week, some with other church functions

	At Full	Activity ⁵	Within .	a Few Years ⁶
TOTAL HOURS OF USE	Average Participants	Average Hours Per Month ^{xxii}	Average Participants	Average Hours Per Month
Categories of Church Use				
1) Totals for <u>Church-only</u> activities ^{xxiv} :	800 – 1,000	102 - 128 discrete ^{xxv} hours	100 – 600 ^{xxvi}	98 - 101 discrete hours
2) Totals for Church activities mandating that other activities are isolated xxxvii:	30	58 - 70 discrete ^{xxviii} hours	30	58 - 64 discrete hours
3) Totals for Church activities that can work around other schedules xxix:	20 - 70	280 - 340 overlap: more than one activity at the same time	12 - 25	260 - 310 overlap: more than one activity at the same time
4) Totals for Church activities that are largely "behind the scenes" ::	10	510 ^{xxxi} more than one activity at a time	10	447 more than one activity at a time
Totals for Catering Support				
5) Church membership primarity:	staffed by event need	22 work runs in parallel to other Church activities	staffed by event need	22 work runs in parallel to other Church activities
6) Others/outside events:	staffed by event	58 hours/month ^{xxxii}	staffed by event	58 hours/month
7) Total catering support:	defined by nature of event	80 hours/month ^{xxxiii}	defined by nature of event	80 hours/month
Total Church Operating Hours				,
8)Expected Hours of Church Operations:		7am-Midnight ^{xxxiv}		Varies by day, 4 days: 7am-10pm, 2 days: 7am-12pm, 1 day: 9am-8pm
9) Total Church operating hours***:		514 ^{xxxvi} hours/month		451******if hours/month
Other or Outside Events (category 6 above) vs. Total Church Use (category 9 above):		11%		13%

⁵Based on Church attendance regaining levels of the 1940's and 1950's

⁶Based on expected attendance and Church activity within three-five years (2010-2012)

Average XXXVIII Monthly Calendars of Use of Church Building by Hour by Day 7. (totaled and summarized into categories; color coded)

(Calendar summary follows, attached)

Each branch church has a Literature Distribution Committee that makes available Christian Science Literature where it is welcome and needed. Third Church covered the Upper East Side down to 59th Street

From The History of Third Church of Christ, Scientist, New York City, a pamphlet published by the church in 1953 at the celebration of its complete payment of debt, referred to as Dedication

[&]quot;As part of its large Usher Committee, a transportation subcommittee stood by with cars to take visitors and members to other nearby Christian Science churches when absolutely no seating was left available.

Most of the Youth Forum and all of the socials were held outside of the Church. However, with removal of the fixed pews and a more open Church building, it is expected that Third Church could hold a number of these quasi-social events going forward.

^{*}Those who have successfully gone through two weeks of authorized Christian Science instruction by a designated Christian Science Teacher, one who is authorized by TMC to use the initials C.S.B. following his/her name. Each student of Christian Science is allowed to be "Class Taught" once. See other references on C.S. Classes and C.S. Associations (those who have been Taught by a C.S. Teacher and meet once/year in an Association Meeting addressed by the Teacher or authorized substitute.

Current restoration is helping to prepare the Church: making bathrooms and access ADA compliant, constructing the Auditorium to be more visitor-friendly and flexible, improving lighting, clarity and precision of sound for listeners, installation of sprinkler systems and other steps to make the church building safer, improved security systems, and more

Designed and installed by the catering-proficient Rose Group in support of church and outside meetings and events.

^{*}From the Preface to Science and Health with Key to the Scriptures by Mary Baker Eddy

[&]quot;In the past, Third Church has held one Wednesday Testimony Meeting/week but would consider two to meet demand at attendance levels of its peak periods and contemporary work and lifestyles.

All day events, usually on a Saturday Associations also have prep meetings the day before and some have follow-on meetings the day after as well

^{*}Each student of Christian Science is eligible to take Class Instruction from an authorized (by The Mother Church, Boston, MA) Teacher. Classes are not expected to be larger than 30 in size, run all day, Mon-Fri, for two weeks. At Third Church, classes, depending upon size, can be held in the Sunday School space (Basement), Board Room (4th Floor) and potentially in the renewed Church Committee Room (4th Floor). Class Instruction cannot be disturbed.

Because Class Instruction requires complete privacy, an increase of the number of Classes of two weeks each would be coordinated with the Caterer and might include the construction of a more privately sealed-off study and meeting room, which could probably be accommodated in what is now referred to as Attic space. off the 4th Floor.

^{*}All significant activities and programs of Third Church require Membership approval and those not specifically called for in The Manual of The Mother Church by Mary Baker Eddy can be added or dropped according to Membership wishes

^{**} At appropriate times, the Church will also offer free organ concerts emphasizing more popular music though keeping with the dignity of the Church

[&]quot;Some other Christian Science churches individually or grouped have sponsored adult socials that are almost only independent of a church building, however, the restoration and renovation of Third Church, NY, lends itself for occasional socials for its members and their guests and/or for Tri-State socials in upper-mid Manhattan

Not commonly conducted in Christian Science church buildings but can be; the more flexible structure of the restored 583 Park facilitates a much wider range of events and activities than historically capable

Based on 4.5 weeks/month as an average calculation

xviii All day events, usually on a Saturday. Associations also have prep meetings the day before and some have follow-on meetings the day after as well

^{**} Each student of Christian Science is eligible to take Class Instruction from an authorized (by The Mother Church, Boston, MA) Teacher Classes are not expected to be larger than 30 in size, run all day, Mon-Fri, for two weeks. At Third Church, classes, depending upon size, can be held in the Sunday School space (Basement), Board Room (4th Floor) and potentially in the renewed Church Committee Room (4th Floor). Class Instruction cannot be disturbed.

Time needs not calculated into totals.

xxi Time needs not calculated into totals.

Approximate, as this deals with a forecast, though based on substantive experience

Approximate, as this deals with a forecast, though based on substantive experience

xxw Such as main Church Services and C.S. Lectures, can also include major workshops

xxv Nothing can happen in the Church but those Church activities/Services/Meetings

C.S. Lectures are already pulling in between 400-500; Thanksgiving Service very well attended, Association Meetings today are in the many hundreds and can

Such as Trustee Meetings and C.S. Class Instruction

Nothing can happen anywhere in the vicinity, such as on the 4th Floor or Basement while these activities are going on

The many Church Committee Meetings, Rehearsals, Literature Distribution, etc.

Church Office, Treasurer, Clerk, church-focused custodial work, Church website maintenance and updating, etc.

care Clerk, Office, Custodial, Website maintenance, support that parallels Church hours

Note: many Church activities can continue behind the scenes

Note, many Church activities can continue behind the scenes

Based on Expected Use at membership and attendance of the 1940's, 50's and contemporary use of building to meet modern lifestyle and spiritual-searching needs
***** Note: 2, 3, 4 & 5 can overlap. Activities from 4 and some of 3 can occur with Activity 6

^{**** 451} vs 447, as an average of four hours/month would run past midnight to complete catered events

Wed-Sun, to Midnight, Mon, Tues, Thurs, Fri. to 10 pm except special church events. Sat. 9am-8pm, though can run longer for special church events.

Using two calendar months such as April and August to provide a balanced perspective of Church activity, which varies slightly through the year

Third Church of Christ, Scientist, of New York City Typical Month of Activities

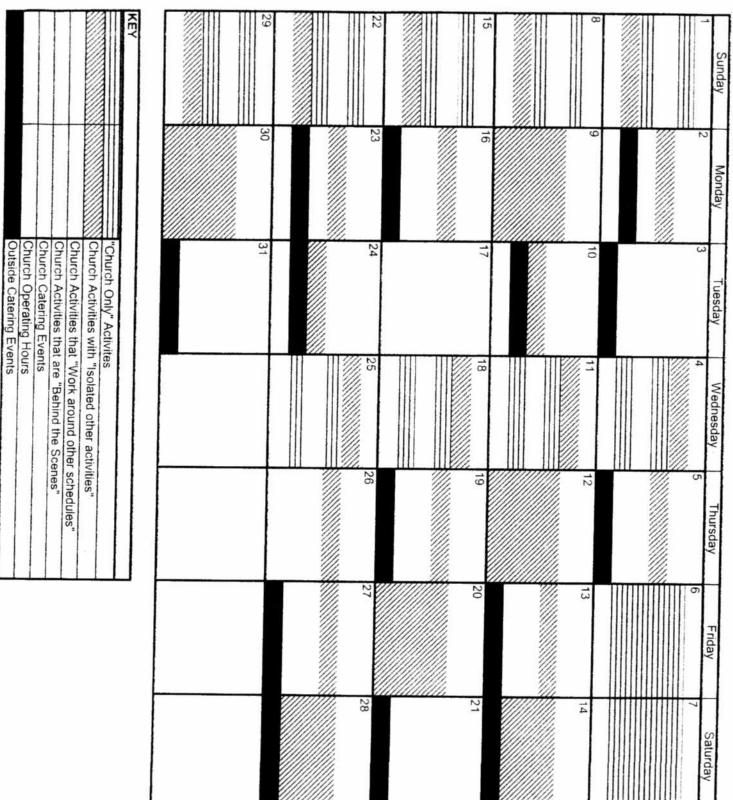


EXHIBIT H

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Third Church of Christ, Scientist, of New York City

583 PARK AVENUE NEW YORK, NY 10021-7363 (212) 838-1870 E-Mail Third ChurchOffice@Juno.com

June 2, 2006

To Whom It May Concern:

"For limited periods when the church building is not being utilized for our congregation, we have provided for various catered events which will also contribute to the church's ability to sustain itself. These functions will be operated by a highly qualified, fully insured, professional caterer who will be under contract with the Church. These ancillary functions are necessary because they will not only ensure our building will be upgraded and rehabilitated but will also allow us to be exposed to and reach out to a larger community. The functions will be restricted by the contract with the Church and will make certain that 583 Park Avenue continues to serve as our Church in New York City well into the future."

Respectfully submitted,

R. Fulton Macdonald Chairman of the Board

Thomas G. Draper, Jr.

Vice Chairman of the Board

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Additional Information

5	1 Filing Status	583 - 589 Park Avenue
	Job Number	
į	Sheet Number 1 of 1 As an attachment to:	
	Sheete Block 1398, lot 1	Third Church of Christ Scientist
	2 Additional Information	Unit Scientist

Respectfully request pre consideration before filing a professional certification application that a proposed accessory social half, ballroom, and catering within the existing church is an accessory use to the existing

The building is an existing two story and cellar structure, located in a landmark district, and constructed in 1921 under application NB 390/1921. The lot is located in R-10 Park Improvement (PI) zoning district.

The existing plans from 1922 indicate the first floor as the main auditorium and church, and lower level as Sunday school room. Since the building was constructed in 1921, it does not have a certificate of occupancy.

It is proposed to continue the use as a church , and add an accessory use of social hall, ballroom and catering at first floor and cellar, for the periods that the hall is not being used as a church. The accessory ballroom and catering meets the accessory use definition in Zoning Resolution 12-10 in that they are located in the same zoning lot as the principal use. They will remain under the same ownership of the Third Church of Christ Scientist. The use is clearly incidental and customarily found in connection with the principal use, as a catering and ballroom is substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the principal use. The use, therefore remains the same use group 4 church and accessory uses.

The occupancy group will also remain as F occupancy as a place of assembly and will have F-1b and F-4 occupancy. Under the old code of 1938, the occupancy of the building remains as a public building.

Based on above, there is no change in use and occupancy of the building. The work should not require a new certificate of occupancy. The building will be upgraded for ADA and handicapped access (LL 58/87), and also for exits, and fire protection equipment. The work will be filed as ALT-2 directive 14 applications. A place of assembly permit will also be obtained for both church and ballroom catering,

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EXHIBIT I

Case 1:07-cv-10962-DAB Document 5-10 Filed 12/10/2007 Page 2 of 49

Greenberg Traurig

Jay A. Segal Tel. (212) 801-9265 Fax (212) 801-6400 segalj@gtlaw.com

October 10, 2007

BY HAND

Hon. Daniel L. Doctoroff
Deputy Mayor
Economic Development and Rebuilding
City Hall
New York, New York 10007

Re: 583 Park Avenue, New York, NY

Dear Deputy Mayor Doctoroff:

We represent the Third Church of Christ, Scientist (the "Church"), the owner of the building known as 583 Park Avenue, New York, NY (the "Building"). As you know, the Church has entered into a lease (the "Lease") with The Rose Group (the "Rose Group", and together with the Church, sometimes referred to as the "Parties"), pursuant to which the Rose Group is permitted to hold catered events in the Building in exchange for making substantial capital improvements to the Building and paying base and percentage rents. In entering into the Lease and fulfilling in substantial part their respective obligations thereunder, the Parties have relied in good faith upon pre-consideration determinations (collectively, the "Pre-Consideration" – Attachment 1), dated April 19, 2006 and affirmed and clarified on June 28, 2006, by successive Manhattan Borough Commissioners of the Department of Buildings ("DOB"). The Pre-Consideration provides that the catering activity would constitute an "accessory use" to the primary Church use in the Building. We show below that:

- 1. DOB was correct in determining that the catering activity constitutes an accessory use pursuant to the Zoning Resolution of the City of New York (the "Zoning Resolution"); and
- 2. Alternatively, even if you were to conclude that the catering does not constitute an accessory use to the Church, New York State's highest courts have held that the City has the authority to permit catered events to continue while the Church seeks a discretionary approval from either the City Planning Commission ("CPC") or the Board of Standards and Appeals ("BSA"), and we request that you

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Hon. Daniel L. Doctoroff Deputy Mayor October 10, 2007 Page 2

exercise that authority subject to the Parties agreement to appropriate conditions, including a limit on the number of events that may be held prior to a determination of the Church's application for such discretionary approval.

The Catering Is An Accessory Use To The Church

Section 12-10 of the Zoning Resolution states that the following three criteria must be met for a use to be accessory to the principal use to which it is related: (i) it must be conducted on the same zoning lot as the principal use, (ii) it must be clearly incidental to, and customarily found in connection with, the principal use and (iii) it must be substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the principal use. The use of the Building for catered events meets each of these criteria.¹

A. The Catering Is Incidental To The Church

The fact that the catering activity is incidental to the Church is best illustrated by calculations of what the Church and the Rose Group anticipate would be a typical month in which both catered events and Church activities are held in the Building (See Section 6 of the Memorandum, dated May 7, 2007, prepared by the Church for the DOB – Attachment 2). The Memorandum shows that within a few years there would be approximately 451 hours in which the Building would be open for Church activities but only 58 hours of catered events, a mere 13% of the hours that the Building would be open and therefore clearly incidental to the principal use. Moreover, during a majority of the 58 hours of catered events, at least some other parts of the Building would be open for Church activities.

B. It Is Customary For Churches, Synagogues And Not For Profit Entities To Hold Catered Events For People Who Are Not Members Of Those Entities

All would agree that it is customary for churches and synagogues to hold events for their members. What is at issue here is that the large majority of events that will be held in the

The first criterion is obviously met because the Church and catered events occur in the same building. Consequently, this criterion is not further discussed.

Church will be for nonmembers.² There are two reasons why it is likely that there will be fewer events in the Building for the Church's members than might be typical for other churches and synagogues. The first reason is that although the Church has one of the City's larger sanctuaries, at present the Church has a much smaller congregation than it has had in the past and smaller than most of the City's churches and synagogues. While 1,200-1,500 people used to attend Church services, the current congregation is less than Since the Rose Group commenced renovations of the Building, however, attendance at Church services has grown, and it is expected to continue to grow as renovations near completion.

The second reason is that certain types of events and ceremonies which are customary in other religions are not typically celebrated in the same manner by Christian Scientists. For example, because Christian Scientist congregations are not led by a clergyman, couples are typically married by a minister at another church and have their reception at the other church. Also, Christian Scientists have no coming-of-age celebration similar to a bar or bat mitzvah or confirmation.

Letters from two caterers (Attachment 3) show that many synagogues with a congregation size similar to that of the Church in its heyday have 3 to 4 events per week. If the size of the Church's congregation had not fallen, in significant part because of the disrepair of the Building, and if its religious teachings and practices did not result in fewer celebrations, the Building would likely hold a similar number of catered events for members. It would be unfair if, because of the Church's particular religious téachings and practices and a decline in the size of its congregation, the Church were not permitted to hold catered events for nonmembers the way that other houses of worship hold events for both members and nonmembers in order to pay for their capital repairs and expenses.

Moreover, it has become customary, at least in Manhattan, for houses of worship to be used for catered events for people who are not members of that institution. Evidence of the practice of houses of worship seeking to cover their expenses by hosting catered events for outsiders is found in a multitude of websites, magazines and other advertising media in which they are marketed to the general public as venues for catered events. See,

Some of the catered events will be for Church members and/or Church activities. Under the terms of the Lease, the Rose Group is obligated to cater (at cost) up to twenty (20) Church events per year plus an unlimited number of additional events for the Church and its members at a 10% discount. It is anticipated that the Church will initially avail itself of this provision only several times a year for local and national Church meetings and lectures of up to 500 attendees (in the past such meetings had up to 2,000 attendees) and that in the future years there will be many more such meetings and lectures as well as teenage/young adult and social functions.

for example, Attachment 4 and the websites listed thereon, including, in particular, the websites for:

- Saint Bartholomew's Church, which states that "St. Bart's is available for movie and commercial filming and cast/crew holding and catering, as well as corporate events, fashion shows, rehearsal dinners, cocktail parties, and dances, among other events";
- The Riverside Church, which currently announces that the church is hosting its "Annual Wedding Open House" on January 19, 2008 to provide an opportunity to visit the church and meet the in-house caterer and wedding ceremony consultant; and
- All Souls Church, which states that many spaces in the church are available to rent for birthday parties, weddings and corporate events to "help cover operating costs during times when normal church activities are not taking place."

While one can not determine the percentages of weddings (and other events) that are held at houses of worship for people who are not members, these websites demonstrate that houses of worship are actively pursuing events for nonmembers. A 1992 article from The New York Times (Attachment 5) shows that the current practice of churches and synagogues renting out spaces for special events to nonmembers as a revenue source has been prevalent for at least 15 years. The article reports on the aggressive marketing campaign undertaken by the Unitarian Universalist Church, at Central Park West and West 76th Street, which paid off by having rentals cover 85% of the church's operating budget. Likewise, the Church of Saint Ignatius Loyola, at Park Avenue and East 83rd Street, had renovated its hall, adding a stage, kitchen, sound system and 20 phone lines for phoneathons so that, in the words of then-pastor Rev. Walter Modrys, the hall could be used "as a revenue raiser as well as a community resource."

In addition to houses of worship advertising to hold events for nonmembers, other types of not-for-profit institutions similarly advertise to hold events for nonmembers. For example, New York Magazine's website (http://nymag.com/weddings/lists/locations) has advertisements from the Council on Foreign Relations/Harold Pratt House (Park Avenue and East 68th Street); Americas Society (also Park Avenue and East 68th Street), Angel Onensanz Foundation for the Arts, whose advertisement states the building is "open to anyone who wants to throw a party"; twelve museums, and many of the City's most

The Americas Society's advertisement states there is a \$5,150 fee and notes, interestingly, that \$2,800 is tax deductible.

Hon. Daniel L. Doctoroff Deputy Mayor October 10, 2007 Page 5

famous institutions, including the United Nations, Grand Central Terminal, the Central Park Zoo, Lincoln Center, the New York City Public Library and Columbia University.

The availability of not-for-profit venues for catered events shows that is has become customary for these entities to allow their spaces to be rented to outsiders so that income can be generated for their upkeep.

C. The Catering Will Substantially Benefit The Principal User Of The Building -The Church And Its Congregation.

As mentioned above, the size of the Church's congregation has fallen significantly over the last several decades. A significant contributing factor to this decline has been the growing state of disrepair of the Building and the prohibitive costs of required renovations and repairs, which the members of the congregation would have to bear.

Under the terms of the Lease, the Rose Group is obligated to undertake extensive capital renovations of the Building, including replacing the roof; repairing, replacing and bringing up to code the Building's electrical, mechanical and plumbing systems; and providing handicapped access to the Building. In reliance upon the Pre-Consideration, the Rose Group had spent \$5 million (\$4 million in hard costs) by the end of February 2007, at which time the residents of 570 and 580 Park Avenue made it clear that they would object to having any catering activities in the Church. The cost of such renovations and repairs has now reached \$7 million in hard costs and is expected to exceed \$8 million when completed4.

The Rose Group is also obligated to maintain the Building throughout the 20-year term of the Lease. In addition, the Rose Group is required under the Lease to pay annual and percentage rent which will be an important source of operating revenues for Church activities. Without the capital and operating contributions of the Rose Group, the Church would have likely been forced to severely reduce or even cease the primary use of the Building as a church. Consequently, the catering activities substantially benefit the Church and its growing congregation.

The Church does not believe that catered events in the Building would change the character of the area. This is so because in a 10-block stretch of Park Avenue (from East

Only approximately \$700,000 of this amount will be for catering use, such as the installation of a kitchen, and not for work needed to repair and bring the Building to Code.

61st Street to East 70th Street), which is in the immediate vicinity and in the same residential zoning district as the Church, there are at least the following ten buildings that hold catered events:5

- The Beekman 575 Park Avenue directly south of the Building. It has a C of O allowing a "hotel restaurant (for tenants)", but instead has a restaurant open to the general public as well as a separate facility for catered events.
- The Central Presbyterian Church 593 Park Avenue approximately 20 feet north of the Building and on the same block as the Building - this Church holds events for nonmembers.
- The Colony Club 564 Park Avenue one block south of the Building.
- The Regency Hotel 540 Park Avenue two blocks south of the Building.
- The Mayfair Hotel 610 Park Avenue one block north of the Building.
- The Armory Park Avenue and East 66th Street
- Council on Foreign Relations Park Avenue and East 68th Street.
- Americas Club Park Avenue and East 68th Street.
- <u>Union Club</u> Park Avenue and East 69th Street.
- The Asia Society Park Avenue and East 70th Street.

Nevertheless, by approximately early March, 2007, residents of 570 and 580 Park Avenue made it clear to the Parties that they were opposed to any catered events being held in the Building. At that time major renovations were already fully underway restrooms and the Building's HVAC system had been removed, the sanctuary was covered with scaffolding and the Building was generally uninhabitable. The Rose Group was very reluctant to spend more money to complete the renovations when there was doubt that it would be able to recoup its expenditures by continuing to hold catered events in the Building. Consequently, the Parties agreed to amend the Lease to provide that if events could not be held in the Building, and the Parties could not agree on another

See Attachment 6 for a map of the area with buildings that have catered events depicted in red.

Hon. Daniel L. Doctoroff Deputy Mayor October 10, 2007 Page 7

arrangement, the Church would sell the Building and the Rose Group would participate in the proceeds.

Even If The City Were To Determine That
Catering Is Not An Accessory
Use To The Church, The City Should Allow
The Activity To Continue While The Church
Seeks Discretionary Relief To Permit Catering
To Be A Primary Use In The Building

Regardless of whether the catering activity constitutes an accessory use under the Zoning Resolution, as we believe it does, the Courts have held that the City has the authority to allow the Building to continue to be used for catered events while the Church seeks a discretionary approval in the form of a special permit under Section 74-711 of the Zoning Resolution or a variance under Section 72-21 (the "Discretionary Approval"). In Gaynor v. Rockefeller, for example, the Court of Appeals held that it "is the settled policy of the courts not to review the exercise of discretion by public officials in the enforcement of State statutes, in the absence of a clear violation of some constitutional mandate (15 N.Y.2d 120, 131 (1965)).

Two later zoning-related cases relied on this principle. In one, the Appellate Division approved the City's right to allow a heliport operator to continue to operate while it sought a special permit from CPC, despite "considerable delay in the operator's prosecution of its application for the permit", since the commissioner had "broad executive discretion" to allow the heliport to continue operations while the application for the special permit went forward (Rivergate Co. v. Board of Standards and Appeals, 144 A.D.2d 266 (1st Dept 1988)).

And in the other, the Court of Appeals affirmed the dismissal by the Appellate Division of an Article 78 proceeding to compel the Mayor, the Police Commissioner and the Commissioner of Licenses to take action against licensed and unlicensed coffee-houses in Greenwich Village that were allegedly operating in open defiance of the law because there was no proper basis for justifying an invasion of the executive prerogative (Perazzo v. Lindsay, 23 N.Y.2d 764 (1968), affirming 30 A.D.2d 179 (1st Dept.)). We request that the City similarly exercise its discretion here and allow the Church to continue to hold catered events in the Building during the period in which an application for the Discretionary Approval is prosecuted (the "Interim Period").

Hon. Daniel L. Doctoroff Deputy Mayor October 10, 2007 Page 8

In deciding whether to exercise discretion and allow catered events to be held in the Interim Period, we respectfully request that you consider the following:

- The Parties have relied in good faith on the Manhattan Borough Commissioners' Pre-Consideration, as well as on follow-up conversations and meetings with other senior DOB officials. During these conversations, DOB's consistent position has been that catered events held at the Building for outsiders would be permissible as an accessory use to the Church and the only question was determining an appropriate number of such events that could be held.
- As stated above, in reliance upon DOB's position, the Rose Group had 2. performed approximately \$5 million of capital repairs and renovations to the Building before learning that the 570 and 580 Park Avenue residents wanted no events to be held in the Building; and to date has spent approximately \$7 million on such work.
- Reservations have been accepted for numerous events to be held in the 3. Building as detailed in Attachment 7. If these events were cancelled, many of them would be unable to find another location and would be unable to hold their event.
- The success of catering at the Church will depend heavily on word of 4. mouth and recommendations and the Parties have already invested significant capital and effort in building such good will. Therefore, if events that had been booked had to be cancelled, or if the Parties were prohibited from booking new events during the Interim Period, even if the Discretionary Approval were eventually granted, the ability to continue to have these events in the Building would likely be irreparably damaged.
- 5. The Parties will agree to limit the number of events that could be held in the Interim Period.
- The Parties will obligate themselves to observe quality of life measures to 6. minimize the affects of the events on people living in the area, including traffic, light and noise controls. With respect to noise control we note that the Church has retained an acoustical consultant who wanted to take sound measurements from several apartments in the buildings near the Church. Yesterday, we received the Attachment 8 letter from Phyllis Weisberg, attorney for those buildings, rejecting the Church's request and stating that "the time for any good faith requests for entry to perform acoustical tests has long since passed."

Hon. Daniel L. Doctoroff Deputy Mayor October 10, 2007 Page 9

> The Church will agree to expedite those aspects of the Church's application for Discretionary Relief that are within its control.

If you are inclined to exercise the City's discretion and allow events during the Interim Period, we suggest that the Parties discuss the imposition of specific conditions and limitations (the "Conditions") that will attend items 4, 5 and 6 above with a person(s) that you designate.

We believe that the foregoing shows that catering activity in the Building meets the accessory use definition in Section 12-10 and, alternatively, that the City has the discretion, and should here exercise such discretion, to permit catering activity in the Building during the Interim Period, subject to the imposition of the Conditions. If you have any questions or require additional information, please contact me. We appreciate your consideration of this critical determination as it is essential to the survival of the Church.

Very truly yours

JAS/rd

cc: David Karnovsky, Esq. Phyllis Arnold, Esq. Elizabeth Weinstein R. Fulton Macdonald Thomas Draper, Esq. Joyce Horman Dora Redman Louis Rose Barry Mandel, Esq. Brenda Levin George Arzt

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Third Church of Christ, Scientist, of New York City

583 PARK AVENUE NEW YORK, NY 10021-7363 (212) 838-1870 E-Mail Third ChurchOffice@Juno.com

June 2, 2006

To Whom It May Concern:

"For limited periods when the church building is not being utilized for our congregation, we have provided for various catered events which will also contribute to the church's ability to sustain itself. These functions will be operated by a highly qualified, fully insured, professional caterer who will be under contract with the Church. These ancillary functions are necessary because they will not only ensure our building will be upgraded and rehabilitated but will also allow us to be exposed to and reach out to a larger community. The functions will be restricted by the contract with the Church and will make certain that 583 Park Avenue continues to serve as our Church in New York City well into the future."

Respectfully submitted.

R. Fulton Macdonald

Chairman of the Board

Thomas G. Draper, Jr.

Vice Chairman of the Board

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Additional Information

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583 - 589 Park Avenue

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	2 Additional Information	Gradell at t	citiest ocientist

Respectfully request pre consideration before filing a professional certification application that a proposed accessory social half, ballroom, and catering within the existing church is an accessory use to the existing

The building is an existing two story and cellar structure, located in a landmark district, and constructed in 1921 under application NB 390/1921. The lot is located in R-10 Park Improvement (PI) zoning district.

The existing plans from 1922 indicate the first floor as the main auditorium and church, and lower level as Sunday school room. Since the building was constructed in 1921, it does not have a certificate of occupancy.

It is proposed to continue the use as a church , and add an accessory use of social half, ballroom and catering at first floor and cellar, for the periods that the hall is not being used as a church. The accessory ballroom and catering meets the accessory use definition in Zoning Resolution 12-10 in that they are located in the same zoning lot as the principal use. They will remain under the same ownership of the Third Church of Christ Scientist. The use is clearly incidental and customarily found in connection with the principal use, as a catering and ballroom is substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the principal use. The use, therefore remains the same use group 4 church and accessory uses.

The occupancy group will also remain as F occupancy as a place of assembly and will have F-1b and F-4 occupancy. Under the old code of 1938, the occupancy of the building remains as a public building.

Based on above, there is no change in use and occupancy of the building. The work should not require a new certificate of occupancy. The building will be upgraded for ADA and handicapped access (LL 58/87), and also for exits, and fire protection equipment. The work will be filed as ALT-2 directive 14 applications. A place of assembly permit will also be obtained for both church and ballroom catering.

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583 PARK AVENUE NEW YORK, NY 10021-7363 (212) 838-1870 E-Mail Third ChurchOffice@Juno.com

MEMORANDUM

Date: May 7, 2007

Re: Church Activities, Past and Expected Church Use of Our Building, 583 Park

1. Perspective

Third Church of Christ, Scientist began in the 1880's as a group of dedicated students of Christian Science, which by 1895 applied for a charter and was registered under the laws of the State of New York.

By 1905, the members had purchased an existing building, formerly the Harlem Presbyterian Church, able to seat 800 people, as membership grew substantially.

By 1918 Third Church members had concluded that it could best serve the growing nature of New York City by relocating to the southern portion of its literature distribution territory. The Church first opened a Reading Room at 680 Madison (61st/62nd and Madison) and then in 1920 purchased the property at 583 Park. Engaging the architects Delano and Aldrich, the members funded and built a classic Georgian-Colonial building, simple while elegant, both in interior and exterior, with a seating capacity of 1500ii.

First Sunday services were held at 583 Park in December 1923.

By the middle of the 20th Century, Third Church evidenced the following dynamic activity:

- Two Sunday Services, mornings and afternoons, with attendance sometimes at the 1,500 seating capacity.
- Wednesday Testimony Meeting in the evening with attendance in the 1,000 to 1,400 levels.
 Note: Some other NYC Christian Science (C.S.) Churches had two Meetings: Noon and Evening, to handle Wednesday Testimony demand.
- o Thanksgiving Services similarly packed with attendance.
- Folding chairs added in the aisles and in the Sunday School basement space would expand seating to close to 2,000 attendees.
- o Spillover attendance chauffeured to other Christian Science churches when seating was full.
- o A half-dozen or more Christian Science Lectures each year that would result in lines of people outside the church building and around the corner from Park to 63rd waiting to be ushered in.
- o Significant Committee Meetings held most days of each week: Ushers, Sunday School, Reading Room, Property, Music, Finance, Care, Reception, Cloak Room, Literature Sales Room, Literature Distribution (which alone had dozens of members involved in sorting, organizing, and distributing free literature to dozens of locations in the immediate neighborhood and Greater New York City area), and other committees.

- On average four Corporate Meetings for the full membership in the main auditorium each year that often ran well into the evening to complete (10 - 11 PM).
- Trustee Meetings at least once each month (up to 10 11 PM).
- Special workshop meetings, frequently running two or more days and evenings with emphasis on the Bible and spiritual healing topics.

In addition, the Christian Science Movement concurrently stimulated and sponsored iv:

- Youth Forum activities for late teens and young adult singles emphasizing wholesome social as well as church related activities (many revolving around the Christian Science Monitor). Socials could run past midnight.
- Some adult socials (such as a dance) that could run past midnight.
- Encouragement of use of church auditoriums as a place for quiet prayer, reading of Christian Science literature made available on tables in the Foyer and elsewhere, and informal Q&A between visitors and active members.

2. Third Church Renewal

The effort to structure the church and its building, so that it can provide sufficient economic selfsufficiency to restore 583 Park to quality and full-functioning status, includes with it an expectancy of renewed growth of membership and attendance. Just within the past year, with the beginning of renewal, Third Church has added more members than in any previous year within the past fifteen.

While the direction of its Founder, Mary Baker Eddy, is not to focus on or publish membership numbers. it can be reasonably assumed that Third Church at 583 Park Avenue was built for and can support church activity well exceeding 1,000 in attendance.

In addition, the needs of New York City and of contemporary lifestyles encourage a less formal and more open outreach process to serve the community such as making the church available specific evenings for such as Prayer Time at Third Church, NY, with appropriate reading material, soft music accompaniment, and some access to "Class Taught" Christian Scientists to answer questions and provide a level of immediate ministry. Thus the Church could, when ready of, open its doors to the community from 9 PM to Midnight on Wednesdays and Sundays -- as a prayerful retreat in the middle of Manhattan.

Further, the inclusion of a working kitchen vii – generally present in most churches and synagogues today, opens up for the members the opportunity to extend and expand meetings (inclusion of lunch or dinner in support of long study and discussion sessions) and makes church activities more convenient and efficient (not having to break for 1.5-2 hours while participants scatter across the neighborhood seeking meal service).

Changes and improvements to the building provide the Church with greater flexibility in configuring space and conducting meetings tailored to the needs and convenience of its congregation and the range of activities hosted by the Church. This new building flexibility includes:

- Removal of fixed, tightly-spaced pews
- Availability of stackable chairs that can be positioned in rows, semi-circles, study group circles, or however best serves the function needs
- Digital-controls that can set thematic light framing, tailored to a specific church meeting or event

- Substantially strengthened and more effective elevator system, especially desirable for attendees in wheel chairs or of elder age
- More bathrooms modernized and now ADA-compliant, though in restorative quality and design
- o Planned replacement of the worn physical sign on Park Avenue by a digitally-controlled sign that facilitates updating of church activities to passers-by and the community, designed with highest quality aesthetics

Finally, the Church has wanted to give back to the community even more and to become clearly integrated with the neighborhood; consideration is being given, for example, to being available for Open House tours (www.OpenHouseNY.org) and/or also to offering two or more specially prepared free organ concerts for the general public.

Church Standards Affecting the Community 3.

Members typically join Third Church after experiencing spiritual healing. As their understanding of Christian Science grows, they choose to abstain from drugs and other material dependencies. Often they attend services, use the Reading Room, study the Bible and the writings of Mary Baker Eddy, Founder and Pastor Emeritus, for months or even years before they are ready to commit to the mission of Christian Science through church membership. Attendance is often much larger than membership, especially evident at Christian Science Lectures and such popular services as Thanksgiving.

Church services, Lectures, the Reading Rooms and many other outreach activities are open to "all honest seekers of Truthviii."

Third Church historically has been known as an institution and body of members holding high standards, and sensitive to neighbors, the community, and the City. Christian Scientists believe in the Golden Rule, and just as they would not want impositions placed on their practice of Christian Science, they do not impose restrictions or Christian Science rules on others.

Concurrently, however, the Church strives to be sensitive to its neighbors and to any impact the Church or anyone associated with it might have on the community. Members abstain from alcohol and smoking and urge others to also, but seek only to impose standards reached by community consensus. These standards currently include the ban on smoking in public places, laws against disorderly conduct, driving while intoxicated, noise pollution, and illegal parking.

Third Church chose to enter into an agreement with the Rose Group, skilled caterers, because it believes they share the Church's appreciation of high standards. The following steps have been taken or are being taken to cushion any material impact that expanded use of the Church and its building might create:

- Refrigeration of garbage within the sub-basement of the Church building. Reactivation of the "Sidewalk Lift" (once used to transport coal into the building) to move trash up to 63rd Street during authorized garbage removal periods only when authorized trash removal vehicles arrive.
- Master-system digital control of all sound and light systems within 583 Park so that individual participants cannot project sound or light above or beyond pre-set limits, in keeping with established standards and rules.
- Employment of a professional Sound Study by Third Church to measure acoustic and decibel level impacts inside and outside its building and, especially, what might be heard or seen by neighboring buildings. The Church ordered proposals from three qualified NYC sound study firms and has selected one for this important work; all reasonable steps from study recommendations will be taken.

- Use of upwards of a half-dozen ushers to speed passenger drop-off in front of the Church building. Employment of Valet Parking for many events as well as arrangements with nearby parking garages to handle private vehicles.
- Planned use of off-duty policemen from the nearby Precinct to control traffic on Park Avenue and 63rd Street, to mitigate illegal parking, double-parking, or other hindrances. Enforcement of the "no parking zone" in front of 583 Park.
- 4. Church Activities Expected (I) Within a Few Years Following Restoration and Restoral, and also (II) When Third Church Approximates its Earlier Attendance Levels

For most of its existence and up to just four years ago, Third Church sponsored and held two Sunday Services. With renewal -- stimulated by physical restoration of its decaying 85-year old building coupled with sustained increases in income permitting a growth agenda once again, the Church expects to bring back an array of activities and services that were prevailing not long ago and/or have been considered, to reflect a more contemporary set of church-going needs.

The following table reflects the activities of the Church and expected use of hours, drawing on its rich and dynamic history as well as present experience of other Christian Science churches with dynamic, community-serving programs.

5. Expected Weekly and Monthly Church Activities

		At Full Activity ¹	Within a Few Years ²
Activity	General Hours of Use	Comments	Comments
Sunday Church Services	9:30-1 PM, 6-9:30 PM	Two/week; up to 1,500 attendees	Two/week; up to 200 attendees
Sunday School	10 – 1 PM	Located in basement. 80- 100 children and adult staff	Located in basement. 25- 30 children and adult staff
Wednesday Testimony Meetings	11-1:30 PM, 6-9:30 PM	Two/week ^{ix} ; often with 1,000 or more attendees	Two/week; often with 100 - 150 or more attendees
Thanksgiving Service	9:30-1 PM	Popular service on Thanksgiving Day, up to 1,500 attendees.	Popular service on Thanksgiving Day, up to 500 attendees.
Christian Science Lectures	11-2 PM for Noontime, 6-10:30 PM Evening	About six/year; up to 2,000 attendees	About four/year; up to 800 attendees
C.S. Association Meetings ^x	7 AM – 8 PM, Saturdays prep days before, after	About seven/year; up to 800 members each.	About four/year; up to 600 members each.
C.S. Class Instruction ^{xt}	7:30 AM - 7 PM, Mon- Fri for two weeks	About five/year ^{xii} ; up to 30 students + Teacher	About four/year; up to 30 students + Teacher
Branch Committee Meetings	AM, PM, Evenings, upwards of three/day.	At minimum several times per week year-round; 5-50 members per meeting	At minimum several times per week year-round; 5-20 members per meeting
Third Church Trustee Meetings	Evenings 5:30 – 11 PM	Up to two/month, 6 members	Up to two/month, 6 members

¹Based on Church attendance regaining levels of the 1940's and 1950's

²Based on expected attendance and Church activity within three-five years (2010-2012).

		At Full Activity	Within a Few Years
Activity	General Hours of Use	Comments	Comments
Corporate Meetings of Membership	Full day Saturday in Jan, May, Sept, other usually in evenings, up to 11 PM	Minimum of three, to five/year; full Membership expected.	Minimum of three, to five/year; full Membership expected.
Readers Rehearsals	Generally: Wed, 5-6 PM, Fri, 7-8:PM, Sun 9-10	Usually at least three/week; some Readers in church many hours, many days; have their own suites	Usually at least three/week; some Readers in church many hours, many days; have their own suites
Soloist Rehearsals	Sat or early Sun AM	Generally one, Sunday prep	Generally one, Sunday prep
Organist Rehearsals	Wed, Sun hours before services start	Generally two/week, though more necessary for special meetings, Lectures, other	Generally two/week, though more necessary for special meetings, Lectures, other
Piano Rehearsals	2-3 hours each week, usually late PM Thurs/Fri	For the Sunday School	For the Sunday School
Clerk/Treasurer/Building Mgmt.	Six-seven days/week	Physically on 4 th Floor, all over the building during day	Physically on 4 th Floor, all over the building during day
Superintendent Staff focused on Church activities and needs	In parallel with all Church meetings, services, events, before and after, six-seven days/week	Housed in Superintendent Office but all over the building during day and evenings	Housed in Superintendent Office but all over the building during day and evenings
Coordinated support to 3 rd Church Reading Room now on 62 nd and also Jointly- Maintained Reading Room now on Church Street in area of City Hall	Six-seven days/week Involves Clerk's Office + special committee work	Reading Rooms are located elsewhere but coordination is from 583 Park	Reading Rooms are located elsewhere but coordination is from 583 Park
Coordinated support for Spanish-speaking Services, Lectures, and radio lectures for the Tri-State area	Weekly planning, coordination, staffing as well as financial support	Spanish speaking services are held at 9 th Church but run from 3rd	Spanish speaking services are held at 9 th Church but run from 3rd
Tri-State C.S. Committee Meetings	Either Saturdays or Evenings, up to 11 PM	One-two per month; 5-50 per	One-two per month; 5-20 per
Coordinated support for Tri- State advertising that spans several institutions and activities	Weekly planning, coordination, and commitment of other resources to specific missions	Generally about a half dozen C.S. supporting institutions look to 3 rd	Generally about a half dozen C.S. supporting institutions look to 3 rd
Bookmobile coordination and prep for the Tri-State area	Generally once a week involving many hours; up to 12 people involved.	In support of special events, some outdoors (NYC street fairs, etc)	In support of special events, some outdoors (NYC street fairs, etc)
Periodic Special Meetings for the Tri-State area that often include senior representatives from The Mother Church (TMC)	Can cover two-four days each; meetings generally in the evenings or on Saturdays	TMC: The First Church of Christ, Scientist, in Boston, MA; C.S. Headquarters 3-4 per year	TMC: The First Church of Christ, Scientist, in Boston, MA; C.S. Headquarters I-2 per year
Literature Distribution prep and coordination for Third Church area	Twice/week involving many hours: daytime, evenings.	Can be intense, time- and people-demanding work. Up to 50 people involved	Can be intense, time- and people-demanding work. Up to 20 people involved
Special Workshops, generally Bible-centered, encouraged by TMC, sponsored by Third Ch.	Sometimes two-three days; can be all day Sat or several evenings.	Attendance from a couple dozen to many hundreds, depending on focus, scope	Attendance from a couple dozen to hundreds, depending on focus, scope

		At Full Activity	Within a Few Years
Ancillary Activity	General Hours of Use	Comments	Comments
Youth Forum activities (see: www_IMCYouth.com), quasi-social	From a couple to many hours, centered generally on young adult singles. Some quite deep metaphysically; a few 9 PM – Past Midnight.	Can concentrate on The Christian Science Monitor or Spiritual Activist Summits; some events merely social, such as a dance; about ten active events/year.	Can concentrate on The Christian Science Monitor or Spiritual Activist Summits; some events merely social, such as a dance; two-three/year.
Operation of an active, information-current website for Third Church to connect members, attendees, guests, the young, all interested. (re: http://www.thirdchurchny.com/plan)	Several hours per day six days per week to maintain and enrich an interactive website that is relevant.	Headquartered in 583 Park Avenue, communicating locally and as far as the Internet spans.	Headquartered in 583 Park Avenue, communicating locally and as far as the Internet spans.
"Prayer Time at Third Church ^{xiii} "	Two evenings per week keeping Church open to the public for quiet prayer, study, Q&A with Class Taught Christian Scientists;9 PM-Midnight	Providing the City and the immediate community a safe prayer-focus haven. Soft music accompaniment ^{xiv} .	Providing the City and the immediate community a safe prayer-focus haven. Soft music accompaniment.
Adult socials ^{xv}	On a Friday or Saturday evening; 9 PM – Past Midnight.	Dance, dinner event, or centered on a serious subject. 3-4/year	Dance, dinner event, or centered on a serious subject I-2/year
Weddings and Memorial Services ^{xvi}	As needed. Planning, coordinating, overseeing. Weddings can run late.	As needed; at least a dozen per year. Memorial Services handled by First Reader. Weddings require an outside Minister.	As needed; at least a dozen per year. Memorial Services handled by First Reader. Weddings require an outside Minister.

Expected Average Hourly Use of Church Building 6.

		At Full Activity ³	Within a Few Years ⁴
Activity	Timing of Use	Average Hours in Use/ Month xvii	Average Hours in Use/ Month
Sunday Church Services	AM, PM	7/week = (calculated into Totals)	7/week = (calculated into Totals)
Sunday School (basement space)	AM to about 1 PM	3/week = (within same hours as church)	3/week = (within same hours as church)
Wednesday Testimony Meet.	Noon and eve periods	6/week = (totals by month)	6/week = (totals by month)
Thanksgiving Service	AM to about I PM	Thanksgiving Day only	Thanksgiving Day only
Christian Science Lectures	Eve period during week Noon period on a Sat	Lecture Day + planning meeting, at least ½ day every two months	Lecture Day + planning meeting, almost ½ day every two months
C.S. Association Meetings xviii	All day on a Saturday	10-12 hours for event, 2-3 hours day before, after. About 7 Saturdays during the year	10-12 hours for event, 2-3 hours day before, after. About 5-6 Saturdays during the year

³Based on Church attendance regaining levels of the 1940's and 1950's

⁴Based on expected attendance and Church activity within three-five years (2010-2012).

		At Full Activity	Within a Few Years
Activity	Timing of Use	Average Hours in Use/ Month	Average Hours in Use/ Month
C.S. Class Instructionxix	Generally Summer months	9-10 hours for two weeks straight. Space for 30 people.	9-10 hours for two weeks straight. Space for 30 people.
Branch Committee Meetings	Concentrated in eves, Sat, Sun (outside of services)	30-40 hours/week. Space for from $5-50$ per meeting.	15-20 hours/week. Space for from $5-15$ per meeting.
Third Church Trustee Meetings	6 PM – completion, can be as late as 11 PM	Including prep work, averages 20 hours per month. 4 th Floor Board Room.	Including prep work, averages 20 hours per month. 4 th Floor Board Room.
Corporate Meetings of Membership	3 rd Saturday in January, May, Sept, Other Eves	Including prep, averages 14 hours per quarter. Main space	Including prep, averages 14 hours per quarter. Main space
Readers Rehearsals	Usually squeezed in Fri Eve Sun AM, Wed early Eve	6-11 hours/week = Readers' Suites + Platform time	6-11 hours/week = Readers` Suites + Platform time
Soloist Rehearsals	Usually squeezed in early Sun AM	2-3 hours/week =	2-3 hours/week =
Organist Rehearsals	Usually squeezed in Wed early eve, Sun AM	3-4 hours/week =	3-4 hours/week =
Piano Rehearsals	Fri eve or Sun AM, Sunday School space	1-2 hours/week =	1-2 hours/week =
Clerk/Treasurer/Building Mgmt.	Better part of seven days/wk	60-100 hours/week = 4 th Floor + "walking the church"	50-80 hours/week = 4 th Floor + "walking the church"
Superintendent Staff focused on Church activities and needs	Better part of seven days/wk	70-90 hours/week = Maintenance Office + "working the church building"	70-90 hours/week = Maintenance Office + "working the church building",
Coordinated support to 3 rd Church Reading Room (RR) and also Jointly-Maintained RR	Varies by need but usually some every day	3-8 hours/week = Largely done from 4 th Floor	2-4 hours/week = Largely done from 4 th Floor
Coordinated support for Spanish-speaking Services & Lectures	Varies by time period, some months relatively quiet.	1-5 hours/week = Largely done from 4 th Floor	1-2 hours/week = Largely done from 4 th Floor
Tri-State C.S. Committee Meetings	Some activity every month, some quite demanding	1-5 hours/week = Coordination from 4 th Floor, meetings can take major space and involve many participants	1-3 hours/week = Coordination from 4 th Floor, meetings can take major space and involve many participants
Coordinated support for Tri- State advertising	Varies by time period, some months quiet.	A couple hours per week. Largely done from 4 th Floor	A couple hours per week. Largely done from 4 th Floor
Bookmobile coordination and prep for the Tri-State area	Some activity every month, some quite demanding	2-8 hours/week = Coordination from 4 th Floor, team work takes space	2-3 hours/week = Coordination from 4 th Floor, team work takes space
Periodic Special Meetings for the Tri-State area	Varies by time period, some months relatively quiet.	Coordination from 4 th Floor. Special Meetings usually involve a lot of people and much space.	Coordination from 4 th Floor. Special Meetings usually involve a lot of people and much space.

Page 7, Proprietary document by Third Church of Christ, Scientist, of New York City, 583 Park

		At Full Activity	Within a Few Years
Activity	Timing of Use	Average Hours in Use/ Month	Average Hours in Use/ Month
Literature Distribution	Late PM, evenings; some Sat and Sun work	4-8 hours/week = Involves a lot of people and much space to sort, prep.	3-5 hours/week = Involves a lot of people and much space to sort, prep.
Special Workshops	Daytime, evening and Sat prep. Workshops can be relatively intimate or huge (a couple hundred people).	Workshops themselves run from ½ day to several days, from two to a few times per year. Much coord, and prep. Attendance can be very large.	Workshops themselves run from ½ day to several days, from one to a few times per year. Much coord, and prep. Attendance can be sizeable.
Youth Forum activities (see: www.TMCYouth.com), quasi-social	Keyed on non-school timing so weekends are priorities as are Summer months.	2-8 hours/week by Youth task forces; much prep around school holidays/breaks. Youth workshops from 1-3 days. Socials can run past midnight.	1-3 hours/week by Youth task forces; much prep around school holidays/breaks. Youth workshops from 1-3 days. Socials can run past midnight.
Operation of an active, information-current website for Third Church http://www.thirdchurchny.com/ plan	Most work done during daytime hours. Maintenance 24x7 (largely uses an outside hosting service).	Maintaining a dynamic, interactive website requires a "Webmaster" 20-40 hrs/wk = Largely directed from 4 th Floor. Keys into ALL Church activities and outreach.	Maintaining a dynamic, interactive website requires a "Webmaster" 20-40 hrs/wk = Largely directed from 4 th Floor. Keys into ALL Church activities and outreach.
"Prayer Time at Third Church"	Targeting Wednesday and Sunday evenings/late.	10 hours of focused time, 6 open to public.	10 hours of focused time, 6 open to public.
Adult socials	Generally Friday or Saturday events, in the evening.	I-6 hours/week. Coordination includes Clerk's Office and adult special subcommittees. Socials can run past midnight.	I-6 hours/month. Coordination includes Clerk's Office and adult special subcommittees. Socials can run past midnight.
Weddings and Memorial Services	Memorial Services can be anytime, as requested (First Reader presides). Weddings similar to general practice (Ordained Minister).	As requested**. From a couple of hours to a couple of days/month. Requires major space (one of two major church floor spaces).	As requested ^{xxi} . From a couple of hours to a couple of days/month. Requires major space (one of two major church floor spaces).
Catering Support			
Catering for Church-Specific	Church activities, meetings, Lectures, weddings, and the like.	4-6 hours/week, once in full operational use. Most large scale.	4-6 hours/week, once in full operational use. Some small scale.
Catering for Outside Events	Mostly in evenings; some late; Sunday after morning Church and Sunday School services	13 hours/week for "live" events, "prep time" is behind kitchen and other workspace areas, not interfering with Church.	13 hours/week for "live" events, "prep time" is behind kitchen and other workspace areas, not interfering with Church.
Total Catering Activity	As needed (see above)	17-19 hours/week, some with other church functions	17-19 hours/week, some with other church functions

Page 8, Proprietary document by Third Church of Christ, Scientist, of New York City, 583 Park

	At Full	Activity ⁵	Within a	Few Years ⁶
TOTAL HOURS OF USE	Average Participants	Average Hours Per Month	Average Participants	Average Hours Per Month xxiii
Categories of Church Use		1		
1) Totals for <u>Church-only</u> activities xxiv:	800 – 1,000	102 - 128 discrete ^{xxv} hours	$100-600^{xxvi}$	98 - 101 discrete hours
2) Totals for Church activities mandating that other activities are isolated**x*vii:	30	58 - 70 discrete ^{xxviii} hours	30	58 - 64 discrete hours
3) Totals for Church activities that can work around other schedules xxix:	20 - 70	280 - 340 overlap: more than one activity at the same time	12 - 25	260 - 310 overlap: more than one activity at the same time
4) Totals for Church activities that are largely "behind the scenes" xxx:	10	510 ^{xxxi} more than one activity at a time	10	447 more than one activity at a time
Totals for Catering Support				
5) Church membership primarily:	staffed by event need	work runs in parallel to other Church activities	staffed by event need	22 work runs in parallel to other Church activities
6) Others/outside events:	staffed by event	58 hours/month ^{xxxii}	staffed by event	58 hours/month
7) Total catering support:	defined by nature of event	80 hours/month****iii	defined by nature of event	80 hours/month
Total Church Operating Hours				,
8)Expected Hours of Church Operations:		7am-Midnight ^{xxxiv}		Varies by day, 4 days: 7am-10pm, 2 days: 7am-12pm, 1 day: 9am-8pm
9) Total Church operating hours*xxxy:		514 ^{xxxvi} hours/month	TOTAL PARTY OF THE	451******* hours/month
Other or Outside Events (category 6 above) vs. Total Church Use (category 9 above):		11%	THE PARTY OF THE P	13%

⁵Based on Church attendance regaining levels of the 1940's and 1950's

⁶Based on expected attendance and Church activity within three-five years (2010-2012).

Average Monthly Calendars of Use of Church Building by Hour by Day 7. (totaled and summarized into categories; color coded)

(Calendar summary follows, attached)

Each branch church has a Literature Distribution Committee that makes available Christian Science Literature where it is welcome and needed. Third Church covered the Upper East Side down to 59th Street.

From The History of Third Church of Christ, Scientist, New York City, a pamphlet published by the church in 1953 at the celebration of its complete payment of debt, referred to as Dedication.

As part of its large Usher Committee, a transportation subcommittee stood by with cars to take visitors and members to other nearby Christian Science churches when absolutely no seating was left available.

Most of the Youth Forum and all of the socials were held outside of the Church. However, with removal of the fixed pews and a more open Church building, it is expected that Third Church could hold a number of these quasi-social events going forward.

Those who have successfully gone through two weeks of authorized Christian Science instruction by a designated Christian Science Teacher, one who is authorized by TMC to use the initials C.S.B. following his/her name. Each student of Christian Science is allowed to be "Class Taught" once. See other references on C.S. Classes and C.S. Associations (those who have been Taught by a C.S. Teacher and meet once/year in an Association Meeting addressed by the Teacher or authorized substitute.

Current restoration is helping to prepare the Church: making bathrooms and access ADA compliant, constructing the Auditorium to be more visitor-friendly and flexible, improving lighting, clarity and precision of sound for listeners, installation of sprinkler systems and other steps to make the church building safer, improved security systems, and more.

*Designed and installed by the catering-proficient Rose Group in support of church and outside meetings and events.

From the Preface to Science and Health with Key to the Scriptures by Mary Baker Eddy.

In the past, Third Church has held one Wednesday Testimony Meeting/week but would consider two to meet demand at attendance levels of its peak periods and contemporary work and lifestyles.

All day events, usually on a Saturday. Associations also have prep meetings the day before and some have follow-on meetings the day after as well. Each student of Christian Science is eligible to take Class Instruction from an authorized (by The Mother Church, Boston, MA) Teacher. Classes are not

expected to be larger than 30 in size, run all day, Mon-Fri, for two weeks. At Third Church, classes, depending upon size, can be held in the Sunday School space (Basement), Board Room (4th Floor) and potentially in the renewed Church Committee Room (4th Floor). Class Instruction cannot be disturbed.

Because Class Instruction requires complete privacy, an increase of the number of Classes of two weeks each would be coordinated with the Caterer and might include the construction of a more privately sealed-off study and meeting room, which could probably be accommodated in what is now referred to as Attic space. off the 4th Floor.

***All significant activities and programs of Third Church require Membership approval and those not specifically called for in The Manual of The Mother Church

by Mary Baker Eddy can be added or dropped according to Membership wishes.

At appropriate times, the Church will also offer free organ concerts emphasizing more popular music though keeping with the dignity of the Church

Some other Christian Science churches individually or grouped have sponsored adult socials that are almost only independent of a church building; however, the restoration and renovation of Third Church, NY, lends itself for occasional socials for its members and their guests and/or for Tri-State socials in upper-mid Manhattan

wi Not commonly conducted in Christian Science church buildings but can be; the more flexible structure of the restored 583 Park facilitates a much wider range of events and activities than historically capable

Based on 4.5 weeks/month as an average calculation

All day events, usually on a Saturday. Associations also have prep meetings the day before and some have follow-on meetings the day after as well.

xxx Each student of Christian Science is eligible to take Class Instruction from an authorized (by The Mother Church, Boston, MA) Teacher. Classes are not expected to be larger than 30 in size, run all day, Mon-Fri, for two weeks. At Third Church, classes, depending upon size, can be held in the Sunday School space (Basement), Board Room (4th Floor) and potentially in the renewed Church Committee Room (4th Floor). Class Instruction cannot be disturbed.

xx Time needs not calculated into totals.

xxi Time needs not calculated into totals.

Approximate, as this deals with a forecast, though based on substantive experience

Approximate, as this deals with a forecast, though based on substantive experience

Such as main Church Services and C.S. Lectures, can also include major workshops

Nothing can happen in the Church but those Church activities/Services/Meetings

C.S. Lectures are already pulling in between 400-500; Thanksgiving Service very well attended, Association Meetings today are in the many hundreds and can

Such as Trustee Meetings and C.S. Class Instruction

Nothing can happen anywhere in the vicinity, such as on the 4th Floor or Basement while these activities are going on

*** The many Church Committee Meetings, Rehearsals, Literature Distribution, etc.

xxx Church Office, Treasurer, Clerk, church-focused custodial work, Church website maintenance and updating, etc

xxxi Clerk, Office, Custodial, Website maintenance, support that parallels Church hours

Note: many Church activities can continue behind the scenes

needs
Note: 2, 3, 4 & 5 can overlap. Activities from 4 and some of 3 can occur with Activity 6

451 vs. 447, as an average of four hours/month would run past midnight to complete catered events

xxxvii Wed-Sun: to Midnight, Mon, Tues, Thurs, Fri: to 10 pm except special church events. Sat: 9am-8pm, though can run longer for special church events.

using two calendar months such as April and August to provide a balanced perspective of Church activity, which varies slightly through the year.

Third Church of Christ, Scientist, of New York City Typical Month of Activities



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'Apr 20 2007 12:41PM The Rose Group

CATERERS OFFICE

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Hewman and

45 WEST BIST STREET NEW YORK, NEW YORK 10024 212-302-9400 FAX: 212-787 2085

April 19, 2007

04/20/2007 12:30 FAX 2127872085

Third Church of Christ Scientist Att: Ms. Dora Redman, Clerk 583 Park Avenuc New York, New York 10021

Dear Ms. Redman:

As you know, our company has been eatering events in houses of worship throughout New York for more than fifly years. We are the exclusive caterers to four houses of worship and provide catering services on a non-exclusive basis to approximately fifteen other houses of worship. Our arrangements with the houses of worship in which we are the exclusive caterers are pursuant to agreements with those institutions. Our clients who are planning their events enter into an agreement with us directly for the catering services to be rendered on their behalf.

With regard to your inquiry, attached is a list of houses of worship with facilities similar to those at 583 Park Avenue, New York, setting forth the congregation size, the catering capacity and the average number of events.

If you are in need of any additional information, please feel free to contact me.

Very Truly Yours,

NEWMAN AND LEVENTHAL CATERERS, INC.

Burton Leventhal, President

Senton Leverthe

BL:faz Enclosure

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NAME OF CONGREGATION

APPX, SIZE OF CONGREGATION

SEATED CATERING CAPACITY

AVERAGE # OF EVENTS PER WEEK

The Jewish Center 131 W. 86th St., NYC	Cong. Rodeph Sholom 7 W. 83rd St., NYC	Congregation Habonim 44 W. 66th St., NYC	Park East Synagogue 163 E. 67th St., NYC	Park Avenue Synagogue 50 E. 87th St., NYC
1300	1200	1500	1000	1500
250	400	300	500	500
۵	ω	cs		

20 2007 12:41PM The Rose Group

THE CRYSTAL PLAZA

Fax: 973-992-8845

Apr 19 2007 03:01pm P002/002



305 WEST NORTHFIELD ROAD . LIVINGSTON, NEW JERSEY 07039 . (973) 992-8100 . FAX (973) 992-8845

April 19, 2007

Third Church of Christ Scientist 583 Park Avenue New York, New York 10021 Attn: Ms. Dora Redman, Clerk

Dear Ms. Redman:

I am the proud third generation owner/operator of The Crystal Plaza Caterers, my family business that was established in 1917. During our ninety-one year history we have catered all types of religious milestone events in many religious and secular facilities throughout the NY/NJ Metropolitan area, in addition to our exclusive mansion in Livingston, New Jersey.

Our philosophical approach is to blend our catering services with the natural and spiritual environment of the facility we are catering in. For over forty years, we have co-existed in harmony with our residential neighbors in Livingston, and have proven that a business entity can create a mutually beneficial relationship in our neighborhood.

We currently provide catering services on a non-exclusive basis to eighteen houses of worship and numerous secular locations.

The attached is a partial first of the facilities that we render our services to.

Please feel free to contact me for any additional information or questions.

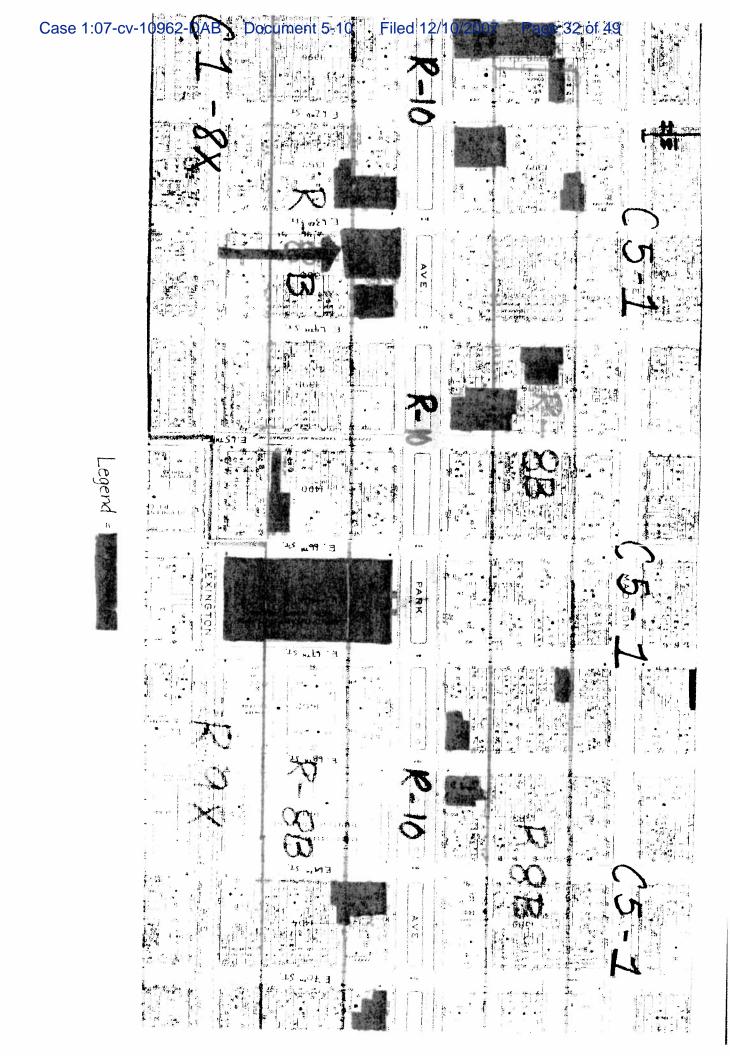
Sincerely,

		Congregation		Rec #	Events per
Facility	Address	Size	Seated # Guests	Guests	₩ 06 k
Houses of Worship					
Landmark on the Park	160 Central Park West		400	593	
Riverside Church	490 Riverside Drive		350	600	
St. Bartholomew's Church	109 East 50th Street		225		
Church of the Redeemer	7 East 95th Street		80	265	ì
Cathedral of St. John the Devine	1047 Amsterdam Ave.		300	500	
Wallace Hall @ St. Ignacious of Loyola	980 Park Avenue		400		
St. Jean Baptiste	173 East 75th Street				
Central Presbyterian	593 Park Avenue		300		
Park Avenue Synagogue	50 East 87th St.	1500	500	750	ω
Park East Synagogue	163 East 67th St.	750 families	500	550	4
Central Synagogue	652 Lexington Ave @55th St.	1878	150	200	4
Marble Collegiate Church	1 West 29th Street		170	200	
Congregation Habonim	44 W. 66th St	370 families	300	400	
Spanish Portuguese Synagogue	8 W. 70th SL	1000+-	400	600	2
The Jewish Center	131 W 86th St.	1200+-		-	
Rodeph Shokm	7 W. 83rd St.		\$ 00	600	
B'nai Jeshurun	270 W. 89th St.		350	500	ш
Steven Wise Synagogue	30 W. 68th St.	700 + -	450	650	
Congregation Kehilath Jeshurun	125 E. 85th St	1070	200	300	4
In construction of a ballroom with 500 person capacity	rson capacity				
Museums, Mansions, Other					
Asia Society Museum	725 Park Avenue		200	400	
American Museum	Central Park West At 77th St		750	1200	
New York Society for Ethical Culture	2 West 64th Street		200	275	
Council on Foreign Relations	58 East 68th Street at Park		175	300	
The Astor House	130 East 80th Street		150	300+	
Museum of the City of New York	1220 5th Ave.		300	500	•
Frick Museum	1 E. 70th St.		200	300	
American Irish Historical Society	991 5th Ave.		130	200	
Americas Society	680 Park Ave		140	250	
United Nations	First Avenue at 45th Street		550	1000	
National Academy Museum	1083 Fifth Avenue at 89th St.		220	350	
New York Public Library	1161 Amsterdam August		450	750	
Hallan Academy	1161 Amsterdam Avenue	-	200	250	

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212 583 7206

120	100	15 East 65th Street	Van Alen Mansion
200	110	2 East 79th Street	Ukrainian institute of America
350	280	1 East 91st Street	Otto Kahn Mansion
250	100	215 East 71st Street	Museum House
350	210	421 East 61st Street	Mount Vernon Museum & Garden
250	180	7 East 91st Street	James Burden Mansion
50	25	59 West 85th Street	1887 Townhouse
125	- 100	41 East 65th Street	American Federation of the Arts
250	150	24 East 81st Street	Bruno Jamais Restaurant



Attachment 4

Church Websites

St. Bartholomew's Church

109 East 50th Street

http://www.stbarts.org/rentspaceatstbarts.asp

The Riverside Church

490 Riverside Drive

http://www.theriversidechurchny.org/about/?weddings

All Souls Church

1157 Lexington Avenue

http://www.allsoulsnyc.org/contact/wedding2.htm

House of the Redeemer

7 East 95th Street

http://www.houseoftheredeemer.org/wedding.html

Madison Avenue Presbyterian Church

921 Madison Avenue

See the Guide to Wedding Policies (especially pages 4 and 6) at:

http://www.mapc.com/html/01 about/01g about-weddings.htm

Marble Collegiate Church

1 West 29th Street

http://www.bizbash.com/newyork/content/resource/r797126.php?prdvCatId=457

New York Society for Ethical Culture

2 West 64th Street

http://www.nysec.org/sitemap/rental-facilities/

Saint James' Church

865 Madison Avenue

See page 19 of the 2006 Annual Report at

http://www.stjames.org/PDF/annualreport2007.pdf

Wallace Hall at Church of St. Ignatius of Loyola

980 Park Avenue

http://www.stignatiusloyola.org/index.php/about us/space rentals

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New York Times December 27, 1992

Houses of Worship Widening Rentals

By CLAUDIA H. DEUTSCH

ABOUT three years ago, the Rev. Darrell Berger took a close look at the income and outgo of the Unitarian Universalist Church at 76th Street and Central Park West and the balance made him blanch. The landmarked church had deferred needed maintenance for decades, and its physical condition was getting dire. The endowment wasn't large enough to cover routine bills, let alone extraordinary repairs, and the congregation was neither rich enough nor large enough to make up the deficits.

But then Dr. Berger had a flash: If the building is the biggest drain on assets, why should it not also be the biggest contributor to them? After all, the sanctuary was used for worship services only on weekends. The church's main hall, conference rooms, gym and kitchens sat idle much of the time, too. And precedents had been set: Various organizations had rented space from the church for more than 20 years.

So Dr. Berger hired Fred Seidler to be the church's director of management and marketing. Mr. Seidler, in turn, sent letters and brochures to businesses, theater groups, members -- anyone who might be holding an event. He advertised in New York magazine, Crains New York Business and The Village Voice. He put a display ad in the Yellow Pages. He even put a sign in the large picture window, between the two front doors, saying "Rental Space," and a number to call.

"Some people in the congregation thought that was tacky," Dr. Berger recalls. "I told them, 'I'll take it down when my budget balances.' ".

Dr. Berger is unusual only in the candor with which he discusses renting space and the comfort level he feels that no tax officials will look askance at any tenants he might accept. Many other religious institutions, fearful that openness about revenues from commercial enterprises will attract unwelcome attention from Federal, state or local taxing authorities, try to keep a low profile about that side of their activities.

But times being what they are, churches and temples are scrambling mightily to close deficits that seem to get wider with every year the stubborn recession continues. And increasingly, they are doing so by marketing their space to outsiders, even those whose activities seem tangentially if at all to be related to the church's mission.

"Renting space has always been an item on a temple's operating budget, but these days everyone is trying to rent more space to more organizations," said Rhoda F. Myers, president of the National Association of Synagogue Administrators.

Mr. Seidler is more succinct. "This is the wave of the future, and churches have to recognize it," he said.

Religious institutions serving as landlords is nothing new, of course. Several churches, including Rutgers Presbyterian on West 73d Street and Trinity Churchin Lower Manhattan, own buildings they rent to nonreligious groups. The Abyssinian Baptist Church in Harlem even has its own development corporation, which has built buildings.

And most churches and temples have long let other nonprofit groups use their sanctuaries or other spaces for meetings, for nominal rentals, or even free. Nearly all rent space to 12-step programs like Alcoholics Anonymous and to nonprofit educational or music groups.

TYPICAL example: St. Peter's Lutheran Church in Citicorp Center, well known for its many jazz concerts and other arts events, also rents its living room and kitchen to AIDS groups and other nonprofits for their own functions and fundraisers. "The thrust of our rentals is to cover costs, to make sure we keep the building in operation," said Sue Dennis, St. Peters's business manager.

But lately, the line between renting to other charitable uses and to for-profit groups has blurred. Several churches and temples are renting space to Weight Watchers, a for-profit group. One Connecticut temple is letting an S.A.T.-preparation group hold classes in its space, for a rental fee.

The Stephen Wise Free Synagogue at 30 West 68th Street rents space to Gymboree, a for-profit group, to set up a children's gym on weekday afternoons. Rodeph Sholom, at 7 West 83d Street, is the site of an antique book fair each year; the temple gets rent for the space and charges admission, the dealers keep revenues from the sales. Jan Hus Presbyterian Church at 351 East 74th Street has dozens of public events each week, including theater performances and antique sales.

Even Temple Emanu-El, New York's preeminent Reform Jewish temple, which has never used its ballroom or auditorium to raise revenue, has been "informally" talking about letting members use the space for receptions, said Mark W. Weisstuch, administrative vice president.

Some institutions are even fundamentally altering their spaces to pursue renters.

Until two years ago the auxiliary chapel on the lower level of the Church of Saint Ignatius Loyola was used primarily for parish gatherings and as a shelter for the homeless. But its sheer size and distinctive gothic design gave it potential for much more.

"You didn't have to be a rocket scientist to see what an underutilized asset this was," said the Rev. Walter Modrys, the pastor.

So the church, on Park Avenue and 84th Street, renovated the hall, which now has 8,000 feet of floor space, a 30-foot-deep stage, a kitchen, sound system, even 20 phone lines, should anyone want to hold a phonathon. The space rents for \$750 to \$3,000 per event, depending on the day of the week and whether the renter is a charity or for-profit group, plus extra labor, table-rental and high-season fees.

Already, it has had an antiques show, benefit dinners and wedding receptions, while continuing to be used for parish activities and, on alternate weekends, as a shelter for the homeless. Father Modrys hopes to get perhaps \$40,000 from the hall this year, more when word gets around.

"We are just now learning how to use the hall as a revenue raiser as well as a community resource," he said.

Outside New York, others are doing the same. Temple Beth El in Hollywood, Fla., has never aggressively sought renters for space, in part because it has a lucrative stream of money coming in from a cemetery it owns. But now, with its deficit growing, it has been advertising for a school to rent space it now uses for storage as classrooms.

"Even the largest, richest, Rock of Gibraltar temples are running deficits these days," said Ralph M. Birnberg, the temple's administrator.

Because of tax fears, church and temple officials tend to speak guardedly about space rentals. In fact, Marvin Myers, executive director of the National Association of Church Business Administration in Fort Worth, Tex., says that what appears to be a trend for churches to seek rental income is not, in fact, happening at all.

"They're afraid to be deemed in competition with other businesses that sell space," he said.

Their pivate-sector clients are doing little to assuage those fears. Chase Manhattan refused to talk about a party it held at the Universalist because it feared alienating bank clients that operate for-profit rental space. Jane Swain, the Gymboree liaison with Stephen Wise, would not take calls, and a man who got on the phone would not give his name and said the company would not discuss the arrangement lest publicity place the temple in an unwelcome tax spotlight.

The fears have a legal basis. Religious institutions, like other nonprofit organizations, are tax-exempt organizations under Section 501C3 of the Internal Revenue Code. Since nonprofts do not pay taxes, their costs are lower, and they can arguably compete unfairly with private companies offering space. And even if their costs were the same, the fact that they need not pay taxes on their revenues means they can offer lower prices.

The problem first hit the spotlight in the late 1940's, when the New York University School of Law bought the C.F. Mueller Company, a macaroni company. The I.R.S., wanting to tax the profits, argued that selling macaroni was unrelated to N.Y.U.'s

educational mission and that N.Y.U. shouldn't be able to trade on its tax exemption to kill the competition. N.Y.U. disagreed, arguing that the profits from selling the macaroni should be tax-free because all the proceeds were plowed back into N.Y.U.

The tax court ruled in favor of the I.R.S., and N.Y.U. was ordered to pay taxes on the sales. Although the Court of Appeals eventually overturned the ruling, Congress had already imposed a tax on unrelated business income.

To this day, the law remains vague about when money made on activities related to a nonprofit's mission is taxable -- and, in fact, on what kind of activity is so related. Is a concert, a book fair or a prep school part of a church's mission to serve a community? Or is it a thinly disguised commercial activity?

"That's what's really confusing the charities -- figuring out whether a function they have is related to their charitable activities," said Walter R. Bailey, a partner specializing in nonprofit tax matters at Rogers & Wells, a Manhattan law firm.

"Charging for space is not fatal in and of itself," added Eugene L. Vogel, a tax partner at the law firm of Rosenman & Colin, also in Manhattan. "Since a church's mission is social as well as religious, it's probably O.K. to rent to a local bridge club. But they would undoubtedly be taxed if they gave a year's lease to a restaurant."

So far, with no hard-and-fast rule, debates on tax issues continue among nonprofits of all kinds. Recent court decisions forcing television evangelists to pay taxes on many of their perks -- free housing, for example -- and on much of what they sell has made nonprofits even more nervous. When local sales and property taxes come into the picture, the waters grow even siltier.

"The regulations are so fuzzy that we worry sometimes," said the Rev. Jan Orr-Harter, the pastor at Jan Hus Presbyterian Church.

Actually, many of the fears are moot, if only because the taxing authorities show little inclination to crack down on activities at temples and churches whose basic legitimacy they do not question.

"The I.R.S. simply does not care if a local church rents a room to an aerobics class," said Richard R. Hammer, a lawyer who edits Church Law and Tax Report, a national newsletter published in Matthews, N.C.

Apparently, local tax people also offer benign neglect. "As long as rentals don't become their primary business, they have nothing to worry about," said Jon Lukomnik, an assistant commissioner in the New York City Department of Finance.

Still, worry they do. The minority of church and temple officials who will talk on the record about space rentals still tend to stress how restricted their rentals are and how little money they bring in. Temple Israel in Great Neck, L.I., has a full-time caterer and readily

holds wedding and bar mitzvah receptions for members. But Vivian Krasnov, the temple's business adminsitrator, says she draws the line at renting for anything else.

"SURE, we're running at a deficit, but renting out space to outsiders isn't the tack we want to take," she said.

The Rev. John A. Huffman Jr., senior minister of St. Andrews Presbyterian Church in Newport Beach, Calif., is adamant that the rent he is paid for concerts held in his church barely covers the costs of the events.

"In no way do we have money-making enterprises for the church," he said. "We continue to believe that God's people should support their work with their tithes."

Such proclamations are increasingly rare. Perhaps because of the continued laissez-faire attitude of the tax authorities, perhaps because of growing fiscal desperation, religious institutions slowly are becoming more open about their quests for paying renters.

The Church of Saint Ignatius Loyola, for one, is unabashedly looking for corporate functions. "We've sent brochures to caterers and schools, and we're looking for more ideas for where to send them," said Robin W. Zeamer, the church's space coordinator.

The Sisterhood of Congregation B'nai Jacob, in Woodbridge, N.Y., uses direct mail and calls to reporters to get more participants in a crafts fair it has held for several years.

"We've become more sophisticated and knowledgeable about how to do these things," said Ms. Myers, a sisterhood member. "Nothing is left to by gosh and by golly, we make sure the local paper knows."

Even the Stephen S. Wise Temple in affluent Bel Aire, Calif., which says it is not in a cash squeeze, is putting ads for its facilities in its member newsletter and is sending reminders to members planning celebrations that the temple has wonderful space.

"The number of weddings and bar mitzvahs that we do has held constant from year to year," said Norman I. Fogel, the temple's executive director. "But the parties are smaller and less elaborate these days, so they're bringing less money in."

Despite the slow-growing acceptance among religious pragmatists that space should be rented, there are built-in restraints that will probably always keep rentals at a fairly moderate level.

For some -- particularly Roman Catholic churches, which must have approval from the archdiocese for any nonchurch event -- renting space can cause more bureaucratic red tape than it is worth. For others, there is not enough space to accommodate all churchrelated activities and still leave room for regular outside use. Still others, especially in Manhattan, say competition from local concert halls and ballroom spaces remains too high.

"We keep getting the nonprofit groups like the 12-step programs who can't even pay the \$100 an hour we want to charge," said the Rev. Robert Davidson, pastor of West Park Presbyterian Church on Amsterdam Avenue and West 86th Street, which makes about 10 percent of its budget from rentals. "The ones that can afford to pay more can rent out Merkin Hall" -- the concert hall on West 67th near Lincoln Center.

And many potential clients -- particularly corporate ones -- think twice before holding a function in a religious building lest they inadvertently offend clients or shareholders or attendees by seeming to favor one sect over another.

"I don't even try to take clients to church spaces anymore, because the board of directors rejects it every time," said Lore Moser, a Manhattan corporate events planner.

Still, the churches and temples are unlikely to stop trying to get renters outside the nonprofit world. One look at the Universalist Church's success can show why.

The Winston Prep School for learning-disabled students just signed a 10-year lease, with option to renew for five, for classroom space in the parish hall. The Karpales raremanuscript library pays to occupy the sanctuary, which has movable pews, during the week. Wedding receptions are common. The New York Theater Workshop had a spaghetti-night fundraiser. Manhattan Grace Tabernacle uses the space. Chase Manhattan Bank even held a Teller Appreciation Night at the church in the fall.

All told, rentals -- which average \$2,500 for weekend events, \$1,000 for weekdays -- now account for more than 85 percent of the church's \$460,000 budget.

"We're still struggling," Dr. Berger said, "but at least we don't have to dip into our endowment for expenses any more."

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Rose Group Calendar of Events at 583 Park Avenue - 2007

"STATUS" KEY		
"Confirmed" Event is confirmed with contract and deposit		
"OTC"	Contract or proposal has been sent	
"Completed" Event has already happened		

Date	Event	Type of Event	# Guests	Status
5/19/2007	Mortimer Gaghan Wedding	Reception and Luncheon	250	Completed
6/4/2007	Oscar de la Renta	Fashion Show	300	Completed
6/5/2007	Jewish Women's Foundation	Buffet Reception	200	Completed
6/12/2007	Stoan Kettering Gala	Reception and Dinner	342	Completed
6/24/2007	Alpert Wedding	Wedding Ceremony and Reception	170	Completed
6/28/2007	New York Auto Dealers Association	Reception and Dinner	206	Completed
9/8/2007	Pokotilow Fink Wedding	Wedding Ceremony and Reception	275	Completed
9/10/2007	Oscar de la Renta	Fashion Show	850	Completed
9/18/2007	New Yorkers for Children	Reception and Dinner	700	Completed
9/19/2007	Sotheby's Int. Realty Inc.	Reception and Luncheon	500	Completed
9/25/2007	Association of Legal Administrators	Reception and Luncheon	190	Completed
9/29/2007	Levine Schaps Wedding	Wedding Ceremony and Reception	300	Completed
10/4/2007	The Synergos Institute	Reception and Dinner	350	Completed
10/9/2007	United Jewish Appeal	Reception and Dinner	275	Completed
10/11/2007	Hispanic Society	Reception & Seated Dinner	300	Confirmed
10/16/2007	House & Garden Magazine	Rec & Seated Dinner	120	Confirmed
10/17/2017	Lily Holt	Lunch reception	50	Confirmed
10/18/2007	Henry Street Settlement	Reception and Dinner	400	Confirmed
10/19/2007	Jones Day Reavis & Pogue	Reception and Dinner	300	Confirmed
11/22/2007	Conde Nast	Reception	225	Confirmed
10/23/2007	Nike Womens Fitness	Workout and Reception	120	Confirmed
10/25/2007	Outward Bound	Reception and Dinner	400	Confirmed
10/30/2007	Avon Foundation	Reception and Dinner	500	Confirmed
11/1/2007	UJA Luncheon	Luncheon	300	Confirmed
11/1/2007	Bob Hardwick Reception	Reception	500	Confirmed
11/2/2007	ICI	Reception and Dinner	320	Confirmed
11/5/2007	Sundance Institute	Reception and Dinner	400	Confirmed
11/6/2007	Strive New York	Reception and Dinner	400	Confirmed
11/8/2007	Global Endeavor	Reception and Dinner	400	Confirmed
11/11/2007	Warner Brothers	Reception	400	Confirmed
11/12/2007	World Childhood Foundation	Reception and Dinner	300	Confirmed
11/13/2007	First Republic Bank	Reception	350	Confirmed
11/14/2007	Alexandra Lind Designs	Reception	150	Confirmed
11/15/2007	Business Execs for Nat'l Security	Reception and Dinner	300	Confirmed
11/26/2007	Garden House School	Reception	400	Confirmed
11/27/2007	UBS Holiday Dinner	Reception and Dinner	500	Confirmed
11/29/2007	Queen Sofia/Spanish Institute	Reception and Dinner	350	Confirmed
12/1/2007	Deutch 50th Birthday	Reception and Dinner	200	OTC
12/3/2007	Jamaica Business Resource Center	Reception and Dinner	500	Confirmed
12/4/2007	Hedge Fund Intelligence	Reception and Dinner	350	Confirmed
12/6/2007	WSTA	Reception and Dinner	800	Confirmed
12/8/2007	Fidessa Corp.	Reception and Dinner	450	Confirmed
12/10/2007	Morgan Stanley	Reception and Dinner	1200	Confirmed
12/11/2007	UBS	Reception and Dinner	600	Confirmed
12/13/2007	Citigroup	Reception and Dinner	1200	Confirmed
12/14/2007	Keefe, Bruyette & Woods	Reception and Dinner	500	Confirmed
12/18/2007	Bank of America	Reception and Dinner	750	OTC
12/20/2007	DLA Piper	Reception and Dinner	500	Confirmed



Rose Group Calendar of Events at 583 Park Avenue - 2008

"STATUS" KEY		
"Confirmed" Event is confirmed with contract and of		
"OTC" Contract or proposal has been sent		

Date	Event Name	Event Type	Guest Count	Status
1/11/2008	Hennessy	Reception	300	OTC
1/15/2008	Deloitte and Touche	Reception and Dinner	250	OTC
1/18/2008	White and Case	Reception and Dinner	400	отс
1/19/2008	King & Spalding	Reception and Dinner	300	отс
1/24/2008	New York Rangers	Reception and Dinner	350	OTC
1/26/2008	Berkowitz Lee Wedding	Wedding Ceremony and Reception	200	Confirmed
1/31/2008	Magazine Publishers of America	Luncheon	300	отс
2/4/2008	Oscar de la Renta	Fashion Show	400	Confirmed
2/5/2008	Debevoise and Plimpton	Reception and Dinner	250	отс
2/23/2008	Hirschberg Bat Mitzvah	Reception and Dinner	250	отс
2/26/2008	American Cancer Society	Reception and Dinner	350	отс
2/28/2008	Help USA	Reception and Dinner	400	отс
3/6/2008	Horton Group	Reception and Dinner	400	отс
3/8/2008	Reiss Bar Mitzvah	Reception and Dinner	200	
3/10/2008	Signature Theatre Company	Reception and Dinner	-	Confirmed
3/15/2008	Towart Wedding	Wedding Ceremony and Reception	375	Confirmed
3/27/2008	Asia Society		250	OTC
4/7/2008	Paris Review	Dessert Reception	300	OTC
4/8/2008	Horticultural Society	Reception and Dinner	600	Confirmed
4/10/2008	Willkie, Farr & Gallagher	Reception and Dinner	275	Confirmed
4/12/2008	Lustig Bat Mitzvah	Reception and Dinner	400	Confirmed
4/14/2008	Oscar de la Renta	Reception and Dinner	195	Confirmed
4/15/2008		Fashion Show	400	Confirmed
4/16/2008	Allen Stevenson School	Reception	900	Confirmed
	Bard Graduate Center	Reception and Luncheon	125	Confirmed
4/22/2008	Arts Connection	Reception and Dinner	400	отс
4/28/2008	The Dwight School	Reception and Dinner	400 '	OTC
4/29/2008	PEN American Center	Reception and Dinner	600	Confirmed
5/1/2008	Fountain House	Luncheon	500	Confirmed
5/2/2008	Sacred Heart School	Reception and Dinner	450	Confirmed
5/3/2008	Levy Bat Mitzvah	Reception and Dinner	250	Confirmed
5/8/2008	Phoenix House	Reception and Dinner	300	Confirmed
5/10/2008	Slaton Green Wedding	Wedding Ceremony and Reception	250	Confirmed
5/12/2008	CAMERA	Reception and Dinner	400	Confirmed
5/13/2008	Turner Broadcasting	Luncheon	400	OTC
5/15/2008	Financial Communications Society	Reception and Dinner		OTC
5/17/2008	Zimmerman Wedding	Wedding Ceremony and Reception		OTC
5/19/2008	Oscar de la Renta	Fashion Show		Confirmed
6/4/2008	Chapin School Graduation	Graduation Ceremony and Reception		Confirmed
6/5/2008	Global Fund for Women	Reception and Dinner		OTC
6/10/2008	China Institute	Reception and Dinner		OTC
8/2/2008	Matt Wedding	Wedding Ceremony and Reception		OTC
8/2,3/2008	Hammalove Neuman Wedding	Wedding Ceremony and Reception		Confirmed
9/3/2008	UBS Warburg	Reception and Luncheon		OTC
9/20/2008	Raizes Wedding	Wedding Ceremony and Reception		отс
10/4/2008	Cohen Bat Mitzvah	Reception and Dinner		Confirmed
10/7/2008	Quad Graphics	Reception and Dinner		отс
10/11/2008	Bloom Bat Mitzvah	Reception and Dinner		Confirmed
10/16/2008	Real Estate Board of NY	Reception and Dinner		OTC
10/18/2008	Bloom Bogan Wedding	Wedding Ceremony and Reception		Confirmed
11/1/2008	Becker Batmitzvah	Reception and Dinner		Confirmed
11/7/2008	BOMA	Reception and Dinner		OTC
11/15/2008	Sullivan and Cromwell	Reception and Dinner		OTC
12/11/2008	Weil Gotschal	Reception and Dinner	the same of the sa	OTC
12/13/2008	Paul Weiss	Reception and Dinner		OTC

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LAW OFFICES

Kurzman Karelsen & Frank, llp

230 PARK AVENUE NEW YORK, NY 10169 (212) 867-9500

FACSIMILE (212) 599-1759

PHYLLIS H. WEISBERG MEMBER NY AND CT BARS E-MAIL: pwcisbcrg@kurzman.com

October 9, 2007

VIA ELECTRONIC MAIL

Jay Segal, Esq. Greenberg Traurig 200 Park Avenue New York, NY 10166

583 Park Avenue

Dear Jay:

I enclose a copy of a letter that several of our clients have received from your client.

As you know, our clients believe that the use of 583 Park Avenue as a catering hall violates the law. Our clients continue actively to oppose such use. Accordingly, they will not take any steps to facilitate such use, including by permitting access to apartments for the purpose of acoustical measurements.

The suggestion for acoustical testing was first made in November, 2006 and was again raised during settlement discussions in the winter of 2007. Given the passage of time, the failure of settlement discussions, and the significant additional information obtained by our clients concerning the nature of the use (which use we believe is mischaracterized in your client's letter), it would seem that the time for any good faith requests for entry to perform acoustical tests has long since passed.

Sincerely,

Phyllis H. Weisberg

PHW:alj Encl.

Third Church of Christ, Scientist, of New York City

583 PARK AVENUE NEW YORK, NY 10021-7363 (212) 838-1870 E-Mail: thirdchurchoffice@Juno.com

September 21, 2007

Property Manager 575 Park Avenue New York, NY 10065

Dear Property Manager,

As you are probably aware, Third Church of Christ, Scientist, has leased to a catering organization the use of its building for special events at times when the building is not being used as a church. These events may include musicians with amplified sound. We are seeking to establish appropriate limits on the level of amplification.

At the suggestion of a Board member at 580 Park Avenue, we are working with an acoustical consulting firm to measure objectively the level of sound that can be produced within our building without causing an imposition on our neighbors within their residences. The acoustical consulting firm, SIA Acoustics, would appreciate receiving access to one or two apartments in your building, so that it may measure the incremental sound within the apartment when controlled levels and types of sound are produced within our building.

Currently, the acoustical firm plans to take its measurements on Sunday, October 14, 2007 during the hours of 1:00 to 3:30 PM.

Please let us know if any of your tenant-sharcholders are willing to participate in this project by making his or her apartment available to our sound engineer. Needless to say, the best apartments for this purpose are those facing our building. Please provide us with the name and telephone number of any person who is willing to so participate.

Thank you for your consideration. Please feel free to contact our Clerk, Dora Redman, at 212-838-1870 if you have any questions.

With appreciation,

Board of Trustees



NYC-Department of Buildings 280 Broadway, New York, NY 10007

Patricia J. Lancaster, FAIA, Commissioner

Phylis Arnold
Deputy Commissioner, Legal Affairs and
Chief Code Counsel
212.566.3291
212.566.3843 fax
phyllisa@bujidlngs.nyc.gov

October 29, 2007

R. Fulton Macdonald
Third Church of Christ, Scientist
583 Park Avenue
New York, NY 10021

Louis Rose
Rose Group Park Avenue LLC
583 Park Avenue
New York, NY 10021

Michael L. Goldblum
The Building Studio LLP
307 West 38 Street - Room 1701
New York, NY 10018

Intent to Revoke Approval and Permit 583 Park Avenue, Manhattan (the "premises") Application No. 104511495

Gentlemen:

Re:__

The Commissioner of Buildings intends to revoke the approval(s) and permit(s) issued for work at the premises in connection with the application referenced above, pursuant to Section 27-197 of the Administrative Code of the City of New York ("AC"), within 10 days of the posting of this letter by mail unless sufficient information is presented to the Department of Buildings ("Department") to demonstrate that the permit should not be revoked.

Pursuant to AC §27-197, the Commissioner may revoke a permit for failure to comply with the provisions of any applicable law or regulation, or a false statement or misrepresentation of material fact in the application, accompanying plans or papers on the basis of which the permit was issued, or whenever any permit has been issued in error.

We have reviewed letters dated March 12, 2007, March 30, 2007, and October 5, 2007 from counsel for neighboring buildings challenging the permit issued for a catering activity at the premises to the extent of its status as an "accessory use" to the Church at the premises. We have also reviewed letters submitted by the Church's attorney dated April 20, 2007 as revised May 8, 2007 and October 10, 2007 addressing these complaints. Based on the information presented to us thus far, the catering establishment is not an accessory use because it does not comport with the Zoning Resolution's requirement that it be "clearly incidental to, and customarily found" in connection with the Church. Rather it appears to be a principal commercial establishment at the premises. Therefore, absent additional information as set forth above, the permit will be revoked.

Pending submission of further information and a resolution of the issue, the Department will continue to issue Temporary Place of Assembly permits, but only to the extent of events currently booked at the catering facility and in no event beyond six (6) months from the date of this letter and on the condition that the Department is rovided with a list no later than November 5, 2007 of booked events for the period in question for which the cater-i has signed contracts.

NYC.gov/buildings

Third Church of Christ Scientist October 29, 2007 Page 2

Please contact the undersigned with any questions regarding this notice.

Spacerely,

C.

Phyllis/Amold

Deputy Commissioner for Legal Affairs

Christopher Santulli

Fatma Amer

Michael Alacha

Barry Romm

Dileep Khedekar

Max Lee

Dennis Zambotti

Application folder

Revocation file

Premises file

Mona Sehgal

Felicia Miller

Angelina Martinez-Rubio

Jay A. Segal

Phyllis H. Weisberg

EXHIBIT J

06/29/2006 11:44 2126190550

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Third Church of Christ, Scientist, of New York City

583 PARK AVENUE NEW YORK, NY 10021-7363 (212) 838-1870 E-Mail Third ChurchOffice@Juno.com

June 2, 2006

To Whom It May Concern:

"For limited periods when the church building is not being utilized for our congregation, we have provided for various catered events which will also contribute to the church's ability to sustain itself. These functions will be operated by a highly qualified, fully insured, professional caterer who will be under contract with the Church. These ancillary functions are necessary because they will not only ensure our building will be upgraded and rehabilitated but will also allow us to be exposed to and reach out to a larger community. The functions will be restricted by the contract with the Church and will make certain that 583 Park Avenue continues to serve as our Church in New York City well into the future."

Respectfully submitted.

R. Fulton Macdenald Chairman of the Board

Thomas G. Draper, Jr.

Vice Chairman of the Board

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BUILDINGS

Additional Information

7	1 Filing Status	583 - 589 Park Avenue
	Job Number	AVenue
. 1	Sheet Muraber 1 of 1 Sheeta	As art attachment to:
	2 Additional Information	Block 1398, lot 1 Third Church of Chilet Scientist
	Responsible	

Respectfully request pre consideration before filing a professional certification application that a proposed accessory social hall, ballroom and catering within the existing church is an accessory use to the existing building.

The building is an existing two story and cellar structure, located in a landmark district, and constructed in 1921 under application NB 390/1921. The lot is located in R-10 Park Improvement (PI) zoning district.

The existing plans from 1922 indicate the first floor as the main auditorium and church, and lower level as Sunday school room. Since the building was constructed in 1921, it does not have a certificate of occupancy.

It is proposed to continue the use as a church, and add an accessory use of social half, baltroom and catering at first floor and cellar, for the periods that the half is not being used as a church. The accessory baltroom and catering meets the accessory use definition in Zoning Resolution 12-10 in that they are located in the same zoning lot as the principal use. They will remain under the same ownership of the Third Church of Christ Scientist. The use is clearly incidental and customarily found in connection with the principal use, as a catering and baltroom is substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the principal use. The use, therefore remains the same use group 4 church and accessory uses.

The occupancy group will also remain as F occupancy as a place of assembly and will have F-16 and F-4 occupancy. Under the old code of 1938, the occupancy of the building remains as a public building.

Based on above, there is no change in use and occupancy of the building. The work should not require a new certificate of occupancy. The building will be upgraded for ADA and handicapped access (LL 58/87), and elso for exits, and fire protection equipment. The work will be filed as ALT-2 directive 14 applications. A place of assembly permit will also be obtained for both church and ballroom cataring.

	and to both church and ballroom catering.
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EXHIBIT K



NYC Department of Buildings 280 Broadway, New York, NY 10007 Patricia J. Lancaster, FAIA, Commissioner

Fatma Amer, PE Deputy Commissioner 212.566.3248 212.566. 3796 fax fatmaa@buildings.nyc.gov

November 30, 2007

R. Fulton Macdonald Third Church of Christ, Scientist 583 Park Avenue New York, NY 10021.

Louis Rose Rose Group Park Avenue LLC 583 Park Avenue New York, NY 10021

Michael L. Goldblum The Building Studio LLP 307 West 38 Street - Room 1701 New York, NY 10018

Re:

Revocation of Approval and Permit

583 Park Avenue, Manhattan (the "premises")

Application No. 104511495

Gentlemen:

On October 29, 2007, the Department of Buildings ("Department") issued a Notice of Intent to Revoke the referenced permit for failure of the catering establishment at the premises to comply with the Zoning Resolution's accessory use provisions. The Department has not received any information suggesting that the catering establishment complies with zoning. Accordingly, we find that the catering establishment is not "clearly incidental to" the Church's primary use of the premises. Rather it appears to be a principal commercial establishment there. Therefore, the referenced approval and permit is hereby revoked.

As noted in the October 29, 2007 letter, the Department will continue to issue Temporary Place of Assembly permits, but only to the extent of those 39 events booked at the catering facility for a period of six months from October 29, 2007 and appearing on the list of events provided to the Department November 5, 2007. A copy of that list is attached.

Sincerely.

Deputy Commissioner for Technical Affairs

Third Church of Christ Scientist November 30, 2007 Page 2

C: Christopher Santulli Phyllis Arnold Michael Alacha Barry Romm Dileep Khedekar Max Lee Dennis Zambotti Application folder Revocation file Premises file Mona Sehgal Felicia Miller Angelina Martinez-Rubio Victor Kovner Jay A. Segal Phyllis H. Weisberg

Confirmed Event Dates at 583 Park Avenue From 10/29/07 - 4/29/07

Event Date	Event Name		
	Event Name	Event Times	
10/30/2007	Avon Foundation	6:30pm - 10:30pm	
11/1/2007	UJA Luncheon	11:15am - 2:00pm	
11/1/2007	Bob Hardwick Reception	7:00pm - 10:00pm	
11/2/2007	ICI	6:00pm - 11:00pm	
11/5/2007	Sundance Institute	6:30pm - 10:30pm	
11/6/2007	Strive New York	6:30pm - 10:30pm	
11/8/2007	Global Endeavor	6:30pm - 10:30pm	
11/11/2007	Events in Motion - Warner Brothers	8:30pm - 11:30pm	
11/12/2007	World Childhood Foundation	6:30pm - 10:30pm	
11/13/2007	First Republic Bank	7:00pm - 9:00pm	
11/15/2007	Business Execs for Nat'l Security	6:30pm-10:30pm	
11/26/2007	Garden House School	6:00pm - 9:00pm	
11/27/2007	UBS Holiday Dinner	6:00pm - 11:00pm	
11/29/2007	Queen Sofia/Spanish Institute	7:30pm - 12:00am	
12/3/2007	Jamaica Business Resource Center	7:00pm - 11:00pm	
12/3/2007	Oscar de la Renta	12:30pm - 2:00pm	
12/4/2007	Hedge Fund Intelligence	6:00pm - 11:00pm	
12/6/2007	WSTA	6:00pm - 11:00pm	
12/8/2007	Fidessa Corp.	7:00pm - 1:00am	
12/10/2007	Morgan Stanley	6:30pm - 10:30pm	
12/11/2007	UBS	6:00pm - 11:00pm	
12/13/2007	Citigroup	6:00pm - 11:00pm	
12/14/2007	Keefe, Bruyette & Woods	6:00pm - 10:00pm	
12/20/2007	DLA Piper	6:00p - 11:00pm	
1/25/2008	UNFCU Gala	6:30pm - 11:30pm	
1/26/2008	Berkowitz Lee Wedding	7:00pm - 12:00am	
2/4/2008	Oscar de la Renta	12:00pm - 2:00pm	
3/8/2008	Reiss Bar Mitzvah	7:00pm - 12:00am	
3/10/2008	Signature Theatre Company	6:30pm - 10:30pm	
4/5/2008	Weil - Lax Wedding	TBD	
4/8/2008	Horticultural Society	7:00pm - 11:00pm	
4/10/2008	Willkie, Farr & Gallagher	6:30pm - 11:30pm	
4/12/2008	Lustig Bat Mitzvah	TBD	
4/14/2008	Oscar de la Renta	12:00pm - 2:00pm	
4/15/2008	Allen Stevenson	6:00pm - 9:00pm	
4/16/2008	Bard Graduate Center	12:00pm - 2:30pm	
4/26/2008	Van Lee Birthday	6:00pm - 11:00pm	
4/28/2008	Arts Connection	7:00pm - 11:00pm	